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LAWS MADE PLAIN

LAWS AND LEGAL FORMS PREPARED
FOR THE USE OF FARMERS
MECHANICS AND BUSINESS MEN

COMPILED BY

HON. JOHN F. DAVIS

EX-CODE COMMISSIONER OF CALIFORNIA
1404 HUMBOLDT BANK BUILDING
SAN FRANCISCO, CALIFORNIA

PRESENTED BY

ALHAMBRA SAVINGS BANK

Main and First Sts. Alhambra, Cal.

E. L. McCORMACK, Pres. ELMER E. BAILEY, Vice Pres.
H. F. BISHOP, Vice Pres. WM. H. BEDOLL, Cashier.

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PREFACE.

This compilation is intended only as a condensation of the substantive statutory law of the State relating to the subjects treated. Detailed provisions are manifestly impossible in a book of this size, and therefore it has been thought best to set forth the general provisions. The purpose of this compilation is to afford those who receive it an opportunity to become better acquainted with the general provisions of the statutory law of the state. It does not, of course, cover the whole field of statutory law, but it may be relied upon as accurate with reference to those fields which it does cover.

It is suggested that a lawyer should always be consulted where important legal rights are involved, before taking any action leading to an adjustment of such rights.

JOHN F. DAVIS, ex-Code Commissioner of California.

Humboldt Bank Building, San Francisco, Cal.

August 1st, 1914.

THE UTILITY OF BANKING.

A bank is as indispensable in every business community as any other branch of business.

Banks are useful as places of security to deposit money. They are necessary and important to persons who wish to borrow—to the farmer who buys a farm, or who needs money to tide him over from the time of planting to the harvest period; to the business man who needs additional funds in his operations.

The bank acts in this double capacity. It gathers the surplus money of a community; offers its capital as a guarantee of its safe return; loans a part of this money to the active members of the community, stimulating activity in all lines of commerce. To the extent that the bank holds in its custody the funds of its community, to that extent it is of value and a benefit in that community.

A bank account is a safe way to keep your money.

Payment by check is convenient, saves time, guards against errors, furnishes a good record of your transactions, is useful when a payment is disputed.

A bank account of an individual is a valuable record of his income and expenditure.

A bank account is an education to the depositor. Acquaints him with the value of keeping a record, gives him a better idea of business affairs; keeps him in touch with the affairs of his community. Gives him the benefit of the bank's experience, knowledge and advice pertaining to investment and other matters.

A bank account is a great help in saving money. It becomes the one ambition of the man who has a sum of money, large or small, to his credit in the bank, to strive to increase that sum.

The richest men in the country never carry money in their pockets, but put it in the banks. If you have no bank account start one at once, no matter how small the beginning. This bank accords careful consideration to the small as well as to the large depositor.

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TO OUR FRIENDS.

This compilation which we take pleasure in presenting to you is intended for the use of those who desire to have at hand some convenient means of reference to the general laws of California, without being compelled to resort to the bulky volume of our revised statutes, or to the numerous acts of the legislature. The work is not an abridgment of all the laws of the state, but a compilation of those provisions of the statutes believed to be of most concern to the people in general.

Such topics as arise in the everyday lives of our citizens are discussed by Hon. John F. Davis, ex-Code Commissioner of California, Humboldt Bank Building, San Francisco, California. These topics are clothed in plain language, and can be readily understood by all. This work has been prepared at a large expense, and we present it to our friends, believing that it will give them a fair knowledge of the laws of our commonwealth, and after a careful reading of the same they will prize it as a manual of no little value, and one that can be consulted with pleasure and profit for many years to come.

ALHAMBRA SAVINGS BANK,
ALHAMBRA, CAL.

(Fourth Page Reading Matter)

LAWS AND FACTS CONCERNING BANKS AND BANKING

The incentive to accumulate wealth is the principle power which impels men to activity in all business walks of life. The first step is to acquire money, the second to save it. In framing the laws under which banks are organized and conducted, legislative bodies have always kept in mind that banking houses are absolutely necessary in all commercial centers for convenience and safety in carrying on business. The law-makers have wisely put into the laws such safe-guards and restrictions as protect the people in their transactions with banks, thus furnishing the public a place of safety in which to deposit money, as well as a place to borrow when in need of funds.

A Savings Bank cannot transact any business in California without the written certificate of the state superintendent of banks stating that it has fully complied with the state banking laws. Its business must be conducted under the rigid inspection of the state banking department. The state superintendent of banks, either himself or by appointee, must examine every Savings Bank at least once each year and additional examinations may be made. Whenever required by the state superintendent of banks and at least three times each year, every Savings Bank must make a report to him in writing, verified by oath, showing the actual financial condition of the Bank. No person shall be eligible for election as a director of a bank unless he is a stock-holder of the bank, owning, in his own right, shares thereof of the par value of at least $500.

The depositor in a Savings Bank has the integrity of the banker and the strong arm of the state, as well as the liability of the stockholders, to protect his interests.

In the daily newspapers we often read of money hidden in the home being stolen. Under the California banking laws the farmer, mechanic, merchant and all others can deposit money in a Savings Bank and feel assured of being amply protected against the lawless characters who are seeking opportunities to steal the accumulations resulting from the industry and economy of others.

California State Laws

HISTORICAL.

MAGNA CHARTA—The Great Charter granted by King John at Runnymede, England, June 15th, 1215.

DECLARATION OF INDEPENDENCE—Adopted July 4th, 1776, at Philadelphia, Pennsylvania.

CONSTITUTION OF THE UNITED STATES—Adopted on the 17th day of September, 1787, and ratified by all of the colonies by May, 1790.

TREATY OF GUADALUPE HIDALGO—Signed February 2nd, 1848. Copies exchanged at Queretaro, Mexico, May 30, 1848. Ratified by the President of the United States March 16th, 1848, and proclaimed by the President of the United States July 4th, 1848.

ORGANIC ACT AND ENABLING ACT—There was never an act of congress providing for the organization of any territory of California. California was the only state carved out of the National Domain which came into the Union without territorial childhood.

CONSTITUTION OF 1849—Adopted by the Constitutional Convention at Colton Hall, Monterey, October 10th, 1849; ratified by the people November 13th, 1849; proclaimed December 20th, 1849.

STATE ADMITTED INTO THE UNION—The State of California was admitted on September 9, 1850. (Note that its first State constitution had been adopted the year previous.)

CONSTITUTION OF 1879—Adopted by the Constitutional Convention at Sacramento, March 3, 1879; ratified by the vote of the people on May 7th, 1879.

STATE INSTITUTIONS.

STATE CAPITOL—Located at Sacramento, in Sacramento County.

THE UNIVERSITY OF CALIFORNIA—Located at Berkeley, in Alameda County.

Besides the College of Letters, College of Social Sciences, College of Natural Sciences, College of Agriculture, College of Mechanics, College of Mining, College of Civil Engineering, and College of Chemistry, all located in Berkeley, there are connected with the University of California the Lick Astronomical Department at Mount Hamilton, in Santa Clara County, the Hastings College of Law, Institute of Art, College of Dentistry, Wilmerding School of Industrial Arts, College of Medicine and California College of Pharmacy, all in San Francisco, the Los Angeles Medical Department in Los Angeles, the University Farm and University Farm School, located at Davis, together with various agricultural, horticultural and biological stations at different points in the state.

STATE NORMAL SCHOOLS—Seven State Normal Schools, located at San Jose, Los Angeles, Chico, San Diego, San Francisco, Santa Barbara and Fresno.

WE EXTEND THE ACCOMMODATIONS
OF
A SOLID, WELL EQUIPPED BANK.

POLYTECHNIC SCHOOLS—Located at San Luis Obispo and San Francisco.

INSTITUTION FOR THE DEAF AND THE BLIND—Located at Berkeley, Alameda County.

INDUSTRIAL HOME OF MECHANICAL TRADES FOR ADULT BLIND—Located at Oakland, Alameda County.

STATE HOSPITALS—Located at Stockton, San Joaquin County; Napa, Napa County; Agnew, Santa Clara County; Patton, San Bernardino County; Talmage, Mendocino County; and Eldridge, the last being formerly known as the California Home for the Care and Training of Feeble Minded Children.

STATE PENITENTIARIES—Located at San Quentin, Marin County, and at Folsom (post office address Represa), Sacramento County.

STATE REFORM SCHOOLS—Whittier State School, located at Whittier, Los Angeles County, and Preston School of Industry, located near Ione (post office address Waterman), Amador County.

STATE LIBRARY—Located at the State Capitol in Sacramento.

STATE FISH HATCHERIES—Located at Sisson, Tahoe, Tallac, Brookdale, Scott Creek (Swanton Egg Collecting Station), Grizzly Bluff (Eel River), Wawona, Eel River (spawning station), Ukiah, and others of lesser importance.

CERTAIN CONSTITUTIONAL PROVISIONS.

RIGHTS OF FOREIGN RESIDENTS—Foreigners of the white race, or of African descent, eligible to become citizens of the United States under the naturalization laws thereof, while bona fide residents of this state, shall have the same rights in respect to the acquisition, possession, enjoyment, transmission, and inheritance of all property, other than real estate, as native-born citizens; provided that such aliens owning real estate at the time of the adoption of this provision may remain such owners; and provided further, that the legislature may, by statute, provide for the disposition of real estate which shall hereafter be acquired by such aliens by descent or devise.

PROPERTY QUALIFICATION NOT REQUIRED—No property qualification shall ever be required for any person to vote or hold office.

RIGHT OF SUFFRAGE—Every native citizen of the United States, every person who shall have acquired the rights of citizenship under or by virtue of the Treaty of Queretaro, and every naturalized citizen thereof who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been a resident of the state one year next preceding the election, and of the county in which he or she claims his or her vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which now are, or may hereafter be, authorized by law; provided that no native of China, no idiot, no insane person, no person convicted of any infamous crime, no person hereafter convicted of embezzlement or misappropriation of public money, and no person who shall not be able to read the constitution in the English language, and write his or her name, shall ever exercise the privileges of an elector in this state, but this shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any person who shall be sixty years of age and upwards at the time this amendment shall take effect. (The amendment eliminating the word "male" and admitting women to suffrage was approved October 10, 1911).

LEGISLATIVE DEPARTMENT—The legislative authority of the state is vested in a Senate and Assembly, designated "The Legislature of the State of California", composed of forty senators and eighty assemblymen,

MONEY
DEPOSITED WITH US
IS BEYOND THE REACH OF HOUSEBREAKERS.

from districts as prescribed in the constitution and by laws; but the people have reserved to themselves the initiative and referendum.

INITIATIVE—Eight per cent of all the votes cast for all candidates for governor at the last preceding general election at which a governor was elected, is required to propose any law or amendment to the constitution by initiative at the next succeeding general election occuring subsequent to ninety days after the presentation of the petition, or at any special election called by the governor in his discretion, prior to such general election. All such initiative petitions shall have printed across the top thereof, in twelve point black-face type the following: "Initiative measure to be submitted directly to the electors". Five per cent of all the votes cast for candidates for governor at the last preceding general election at which a governor was elected is required to propose, at any time not less than ten days before the commencement of any regular session of the legislature, a law set forth in full in said petition, which the secretary of state shall transmit to the legislature as soon as it convenes and organizes. The law proposed by such petition shall be either enacted or rejected without change or amendment by the legislature within forty days from the time it is received by the legislature. If any law proposed by the said petition shall be enacted by the legislature, it shall be subject to referendum. If any law so petitioned for be rejected, or if no action is taken upon it by the legislature within said forty days. the Secretary of State shall submit it to the people for approval or rejection at the next ensuing general election. The legislature may reject any measure so proposed by initiative petition, and propose a different one on the same subject by a yea and nay vote, upon separate roll call, and in such event both measures shall be submitted by the Secretary of State to the electors for approval or rejection at the next ensuing general election, or a prior special election called by the Governor in his discretion for such purpose. All such initiative petitions last above described shall have printed in twelve point black-face type the following: "Initiative measure to be presented to the legislature".

REFERENDUM—The second power reserved to the people is the referendum. No act passed by the legislature shall go into effect until ninety days after the final adjournment of the session of the legislature which passed such act, except acts calling elections, acts providing for tax levies or appropriations for the usual current expense of the state, and urgency measures necessary for the immediate preservation of the public peace, health or safety, passed by a two-thirds vote of all the members elected to each house. Whenever it is deemed necessary for the immediate preservation of the public peace, health or safety that a law shall go into immed iate effect, a statement of the facts constituting such necessity shall be set forth in one section of the act, which section shall be passed only upon a yea and nay vote, upon a separate roll call thereon; provided, however, that no measure creating or abolishing any office or changing the salary, term or duties of any officer, or granting any franchise or special privilege, or creating any vested right or interest, shall be construed to be an urgency measure. Any law so passed by the legislature, and declared to be an urgency measure, shall go into immediate effect.

The referendum may be ordered by petition to the secretary of state within ninety days after the final adjournment of the legislature, signed by the qualified electors equal in number to five per cent of all the votes cast for all candidates for governor at the last preceding general election at which a governor was elected, and must be submitted at the next succeeding general election occuring at any time subsequent to thirty days after the filing of said petition, or at any special election which may be called by the governor in his discretion prior to such general election; and no act or section, or part of such act, submitted by the referendum, shall go into effect until and unless approved by a majority of the qualified

WE ACCORD CAREFUL CONSIDERATION
TO
SMALL OR LARGE DEPOSITORS.

electors voting thereon; but if a referendum petition is filed against any such act, or part of any act, the remainder of such act shall not be delayed from going into effect.

WHEN ACTS AND AMENDMENTS TO TAKE EFFECT—Any act, law or amendment to the constitution submitted to the people by either initiative or referendum petition, and approved by the majority of the votes cast thereon at any election, shall take effect five days after the date of the official declaration of the vote by the secretary of state. No act, law or amendment to the constitution initiated or adopted by the people shall be subject to the veto power of the governor, and no act, law or amendment to the constitution adopted by the people at the polls under these iniative provisions of the constitution shall be amended or repealed except by the vote of the electors, unless otherwise provided in said initiative measure; but acts and laws adopted by the people under these referendum provisions may be amended by the legislature at any subsequent session thereof. If any provision or provisions of two or more measures approved by the electors of the same election conflict, the provision or provisions of the measure receiving the highest affirmative vote shall prevail.

ENACTING CLAUSE—The enacting clause of every law shall be: "The people of the State of California do enact as follows:"

INITIATIVE AND REFERENDUM IN COUNTIES, CITIES AND TOWNS—The initiative and referendum powers of the people are further reserved to the electors of each county, city and county, city and town of the state, to be organized under such procedure as may be provided by law. (The amendments to the constitution for the initiative and referendum were approved October 10th, 1911.)

LEGISLATIVE SESSIONS—The sessions of the legislature shall be biennial, unless the governor shall, in the interim, convene the legislature by proclamation in extra-ordinary session. All sessions other than extraordinary, shall commence at 12:00 o'clock M. on the first Monday after the first day of January next succeeding the election of its members, and shall continue in session for a period not exceeding thirty days thereafter; whereupon a recess of both houses must be taken for not less than thirty days, On the re-assembling of the legislature, no bill shall be introduced in either house without the consent of three-fourths of the members thereof, nor shall more than two bills be introduced by any one member after such reassembling. (The amendment for the "Bifurcated Session" was adopted October 10th, 1911.)

EXECUTIVE DEPARTMENT—The executive department of the state as set forth in the constitution, consists of the governor, who shall be commander in chief of the militia, the army and navy of the state; a lieutenant-governor, a secretary of state, a controller, a treasurer, an attorney general and a surveyor general, all elected by the people, and each holding office for four years. There is also included by a provision of the constitution, a state superintendent of public instruction, elected for four years by the people. (There has been added by statute a superintendent of state printing, appointed by the governor, with the advice and consent of the senate, and holding office at the pleasure of the governor.)

JUDICIAL DEPARTMENT—The judicial power of this state is vested in the senate sitting as a court of impeachment, in a supreme court, district courts of appeals, superior courts, and such inferior courts as the legislature may establish in any incorporated city or town, township, county, or city and county.

EIGHT HOURS A LEGAL DAY'S LABOR—The time of service of all laborers or workmen or mechanics employed upon any public works of the State of California, or of any county, city and county, city, town, district, township, or other political sub-division thereof, whether said work is done by contract or otherwise, shall be limited and restricted to eight hours in

WE INVITE NEW ACCOUNTS
Upon Our Merits For
STRENGTH AND SAFETY.

any one calendar day, except in cases of extra-ordinary emergency caused by fire, flood or danger to life and property, or except to work upon public, military or navy works or defenses in time of war.

FREE PASSES ON RAILROADS PROHIBITED TO STATE OFFICIALS—No railroad or other transportation company shall grant free passes, or passes or tickets at a discount, to any person holding any office of honor, trust or profit in the state; and the acceptance of any such pass or ticket by a member of the legislature, or any public officer other than railroad commissioner, shall work a forfeiture of his office.

RAILROAD COMMISSION, ORGANIZATION OF—The amendment approved October 10th, 1911, increased the railroad commission from three to five members, to be appointed by the governor from the state at large; provided that the legislature, in its discretion, might divide the state into districts for the purpose of such appointments, and provided that the three commissioners then in office should serve out their terms.

Upon the expiration of said term the term of each commissioner should be six years, except the commissioners first appointed under said amendment, after such expiration, one of whom should be appointed to hold office until January 1st, 1917, two until January 1st, 1919, and two until January 1st, 1921.

RAILROAD COMMISSION, REGULATION OF PUBLIC UTILITIES—Every private corporation, and every individual or association of individuals owning, operating, managing or controlling any commercial railroad, interurban railroad, street railroad, canal, pipe-line, plant or equipment, or any part of such railroad, canal, pipe-line, plant or equipment within this state for the transportation or conveyance of passengers or express matter, or freight of any kind, including crude oil, or for the transmission of telephone or telegraph messages, or for the production, generation, transmission, delivery or furnishing of heat, light, water or power, or for the furnishing of storage or wharfage facilities, either directly or indirectly, to or for the public, and every common carrier, is declared to be a public utility, subject to such control and regulation by the railroad commission as may be provided by the legislature, and every class of private corporations, individuals or associations of individuals hereafter declared by the legislature to be public utilities shall likewise be subject to such control and regulation.

The railroad commission shall have and exercise such power and jurisdiction, to supervise and regulate public utilities in the state, and to fix the rates to be charged for commodities furnished or services rendered by public utilities as shall be conferred upon it by the legislature, and the right of the legislature to confer powers upon the railroad commission respecting public utilities is declared to be plenary, and to be unlimited by any provision of the constitution.

MUNICIPAL OWNERSHIP OF PUBLIC UTILITIES—Any municipal corporation may establish a Board of Public Works for supplying its inhabitants with light, water, power, heat, transportation, telephone service, or other means of communication. Such works may be acquired by original construction, or by the purchase of existing works, including their franchises, or both.

RECALL OF OFFICERS—Every elective public officer of the state may be removed from office at any time by the electors entitled to vote for a successor of such incumbent, through the procedure and in the manner provided for in the constitution itself, which procedure shall be known as the recall, and is an addition to any method of removal provided by law. The constitution, after setting forth in detail the procedure for this recall, prescribes that the article referring to it is self-executing, but legislation may be enacted to facilitate its operation, but in no way limit or restrict the provisions of the article, or of the powers in that behalf reserved in the constitution.

A BANK ACCOUNT IS A VALUABLE RECORD
OF
INCOME AND EXPENDITURES.

ACKNOWLEDGMENTS.

Before an instrument can be recorded, unless it be a judgment affecting the title to, or possession of, real property, authenticated by the certificate of the clerk of the court in which said judgment was rendered, or a notice of location of a mining claim, or a patent from the United States, or from the State of California, or a judgment of a superior court correcting a defective acknowledgment certificate, or a judgment proving an instrument entitled to be proved for record, its execution must be acknowledged by the person executing it, or, if executed by a corporation, by its president or secretary, or other person executing the same on behalf of the corporation, or approved by a subscribing witness, or, as established by legal proof of the handwriting of the party and of a subscribing witness, if there is one, and the acknowledgment or proof certified in the manner prescribed as follows:

The proof or acknowledgment of an instrument may be made without this state, but within the United States, and within the jurisdiction of the officer before either: a justice, judge or clerk of any court of record of the United States; or a justice, judge or clerk of any court of record of any state; or a commissioner appointed by the governor of this state for that purpose; or a notary public, or any other officer of the state where the acknowledgment is made, authorized by its laws to take such proof of acknowledgment.

The proof or acknowledgment of an instrument may be made without the United States before either: a minister, commissioner or charge d'affaires of the United States, resident and accredited in the country where the proof or acknowledgment is made; or a consul, vice consul, or consular agent of the United States, resident in the country where the proof or acknowledgment is made; or a judge of a court of record of the country where the proof or acknowledgment is made; or commissioners appointed for such purposes by the governor of the state, pursuant to special statutes; or a notary public.

When any of the officers mentioned in the preceding paragraphs are authorized by law to appoint a deputy, the acknowledgment or proof may be taken by such deputy in the name of his principal.

A conveyance by a married woman has the same effect as if she were unmarried, and may be acknowledged in the same manner.

An officer taking the acknowledgment of an instrument must endorse thereon, or attach thereto, a certificate substantially in the following forms:

General Form of Certificate.

"State of
County of ss.

On this.....day of....., in the year....., before me, (here insert name and quality of the officer) personally appeared..... known to me (or proved to me on the oath of.....) to be the person whose name is subscribed to the within instrument, and acknowledged that he (she or they) executed the same."

Provided, however, that any acknowledgment taken without this state, in accordance with the laws of the place where the acknowledgment is made, shall be sufficient in this state; and provided further that the certificate of the clerk of a court of record of the county or district where such acknowledgment is taken, that the officer certifying to the same is authorized by law so to do, and that the signature of said officer to such certificate, is his true and genuine signature, and that such acknowledgment is taken in accordance with the laws of the place where the same is made, shall be prima facie evidence of the facts stated in the certificate of said clerk.

WE RECEIVE
DEPOSITS
SUBJECT TO CHECK.

Officers taking and certifying acknowledgments or proof of instruments for record must authenticate their certificates by affixing thereto their signatures, followed by the names of their offices; also their seals of office, if, by the laws of the state or county where acknowledgment or proof is taken, or by authority of which they are acting, they are required to have official seals.

Any instrument affecting the title to real property which was, previous to the first day of January, 1903, copied into the proper book of record, kept in the office of any county recorder, imparts, after that date, notice of its contents to subsequent purchasers and encumbrancers, notwithstanding any defect, ommission or informality in the execution of the instrument, or in the certificate of acknowledgment thereof, or the absence of any such certificate; but nothing herein affects the rights of purchasers or encumbrancers previous to that date.

ADOPTION.

Any minor child may be adopted by any adult person, in the cases and subject to the rules following:

The person adopting the child must be at least ten years older than the person adopted.

A married man, not lawfully separated from his wife, cannot adopt a child without the consent of his wife, nor can a married woman not thus separated from her husband, without his consent, provided the husband or wife not consenting is capable of giving such consent. The consent of the child, if over the age of twelve years, is necessary to its adoption.

A legitimate child cannot be adopted without the consent of its parents, if living, nor an illegitimate child without the consent of its mother, if living; except that the consent is not necessary from a father or mother deprived of civil rights, or adjudged guilty of adultery or cruelty, or for either cause divorced, or adjudged to be habitually intemperate in the use of intoxicants, or who has been judicially deprived of the custody of the child on account of cruelty or neglect. Neither is the consent of any person necessary in case of any abandoned child. Any child deserted by its parents, without provision for its identification or relinquished by its parent for the purpose of adoption expressed in writing, signed and acknowledged by such parent or parents before an officer authorized to take acknowledgments or before the secretary of any organization or society engaged in the work of placing dependent or deserted children in homes in this state, which organization or society has obtained a proper written permit therefor from the state board of charities and corrections, shall, from the date of desertion, or such relinquishment, be deemed to be an abandoned child within the meaning of this provision. Any child left in the care and custody of another by its parent or parents, without any provision for its support, for the period of one year, may, after such notice to the parent or parents residing within the state, and to such other relatives of said child residing within the county as the court shall require, be determined, by order of the juvenile court of the county in which said child was so left, to be an abandoned child, within the terms of this provision. Any such abandoned child, or any child whose parent or parents have been judicially deprived of its custody on account of cruelty or neglect, maintained by, or in the custody of, any orphan asylum within this state, any charitable organization or society receiving state aid, or receiving commitments from the juvenile court, may be adopted with the consent of the managers of such orphan asylum, charitable organization or society. Any orphan child for whose support no provision has been made by any person for a period of one year, but who has been maintained during said year by, or in the custody of, any orphan asylum within this state, any charitable organiza-

PUT YOUR MONEY
IN A BANK
AND PAY YOUR OBLIGATIONS BY CHECK.

tion or society receiving state aid, or receiving commitments from the juvenile court, may be adopted with the consent of the managers of such orphan asylum, charitable organization or society.

A child, when adopted, may take the family name of the person adopting. After adoption the two shall sustain towards each other the legal relation of parent and child, and have all the rights and be subject to all the duties, of that relation. The parents of an adopted child are from the time of the adoption, relieved of all parental duties toward, and responsibility for, the child so adopted. and have no right over it.

ANIMALS.

STATE VETERINARIAN—The state veterinarian shall be a skilled veterinary surgeon, appointed by the governor, and shall, at the date of his appointment, be a graduate, in good standing, of a recognized college of veterinary surgery, legally qualified to practice as such in this state, and shall hold his office at the pleasure of the governor. It shall be the duty of the state veterinarian to protect the health of all domestic animals of the state from all contagious and infectious diseases, so far as practicable, and for that purpose he is authorized and empowered by and with the approval of the governor, to establish, maintain and enforce such quarantine, sanitary, and other regulations as he may deem necessary as to stock passing over any quarantine line existing, or which may be established, within the state, and all such stock so moving shall be inspected by him, and he shall issue his certificate of state inspection, unless such stock shall have been, immediately prior to such moving, inspected by an officer or agent acting under the laws of the United States.

Whenever it may be necessary the governor is authorized and empowered to appoint an assistant state veterinarian, whose tenure of office shall be determined and fixed by the governor.

The state veterinarian is authorized to employ such inspectors from time to time, through the sixty-third and sixty-fourth fiscal years, as he may deem necessary, for the purpose of inspecting and supervising the dipping of sheep exposed to, and infected with, the disease known as scabies, and such inspectors shall be subject to removal at any time by the state veterinarian.

The state veterinarian is also made ex-officio the state sheep inspector.

COUNTY LIVE-STOCK INSPECTOR—A live-stock inspector who shall, at the time of his appointment, be a duly qualified veterinary surgeon, having on file, in the office of the county clerk, a certificate issued to him by the state veterinary medical board, may be appointed by the board of supervisors whenever, in the discretion of such board, the interest of the public welfare demands the services of such an officer, and such officer shall hold his office at the pleasure of the appointing power.

It shall be the duty of the live-stock inspector, acting under the supervision of the state veterinarian, to enforce all laws of the state, and all orders and ordinances of the board of supervisors of his county, pursuant to the health and sanitary surroundings of all live-stock in his county, and for that purpose he is authorized and empowered, by and with the approval of the board of supervisors, to establish, maintain and enforce such quarantine, sanitary and other regulations as he may deem proper and necessary. He shall give to the duties of his office such time and attention as may be necessary to secure the general protection and advancement of all matters pertaining to the health and sanitary conditions of the domestic live stock of his county.

STATE BOARD OF SHEEP COMMISSIONERS—A state board of sheep commissioners has been created, to consist of six members, one of whom

If you make your payments by CHECK
You Have a Record
WHICH CANNOT BE DISPUTED.

shall be the state veterinarian, acting as ex-officio member, and five others, to be appointed by the governor, all of whom shall be experienced wool growers, no two of whom shall be from the same county, and to hold office for four years, or until their successors are duly appointed and qualified. The board shall make an annual report to the governor on or before the fifteenth day of December in each year, giving a statement of the transactions of the board, and facts relating to the condition of the sheep industry in the state. The board shall have power to order an inspection for quarantine of any sheep in the state, compel sheep dipping at such times, and as often, as it deems necessary, to insure the eradication of "scab", and divide the state into such districts as may be necessary for enforcing the provisions of the act creating the board.

The board shall employ such inspectors as may be necessary, and shall keep a book, to be known as the inspection book, in which they must enter their official acts, and such record must show every flock of sheep inspected and the number contained therein, the time when, and the place where, the same was inspected.

The inspectors, and any member of the board, shall have the right, at all times, to enter any premises, farm, field, pen, slaughter house, building or car where any sheep are quartered for the purpose of examining them, in order to determine whether they are infected with the disease known as scabies.

The board shall have power to quarantine any corral, pen, slaughter house, building or car where sheep may have been or are, being handled, and compel the cleaning and disinfecting of the same, when deemed necessary, and generally to perform all duties necessary to the fostering of the sheep industry within the respective counties of the state.

Complete provision is made for the financing of the commission through the board of supervisors of the respective counties.

COUNTY SHEEP COMMISSIONER—Whenever a petition shall be filed with the board of supervisors of any county in the state, signed by not less than fifty resident freeholders of such county, praying for the appointment of a commissioner herein named, said board may, if deemed advisable, appoint some competent person, a resident of the county, who shall act, and be known, as sheep commissioner, whose duties and powers, which are to be exercised in the prevention and eradication of contagious diseases among sheep, shall be defined and determined by said board, and the fees and compensation of such commissioner, only to be charged when he is actually and necessarily engaged in the performance of his duties, shall be paid out of the treasury of said county, as claims against counties are now paid, and be fixed by said board at the time of such appointment.

MAXIMUM SHEEP LICENSE—No license or licenses greater than 3 cents per head shall be imposed by the board of supervisors in any county of this state on the business of raising, grazing, herding or pasturing sheep. and any and all licenses imposed by the board of supervisors of any county on the business of raising, grazing, herding or pasturing sheep in excess of 3 cents per head is declared invalid. Any license tax imposed by any board of supervisors of any county in this state upon the business of raising, grazing, herding or pasturing sheep shall not be so construed and applied as to permit a license tax for, or on account of, lambs under eight months old.

MARKS AND BRANDS—Every owner must record, with the recorder of the county, his mark, brand and counter-brand, by delivering to the recorder his mark cut upon a piece of leather, and his brand and counter-brand burned upon it, which shall be kept in the recorder's office. A certified copy thereof, made by the recorder, with the seal of his office attached thereto, is evidence, on the trial of any action, in a court of competent jurisdiction, as to the ownership of all animals legally marked or branded.

THE BEST
BUSINESS MEN DEPOSIT THEIR MONEY
IN A BANK.

No mark, brand or counter-brand is lawful unless recorded, nor shall any person use more than one mark or brand, unless he is the owner of more than one ranch or farm.

Every person must mark or brand his horses or mules before they are eight months old, and cattle before they are twelve months old, on the hip or hinder part, and mark or brand his sheep, goats and hogs before they are six months old. When a dispute occurs in regard to a mark or brand, the person first recording the same is entitled thereto.

Any person who uses any mark, brand or counter-brand other than the one recorded by him, except by consent of the owner of such other mark, brand or counter-brand, or uses more than one mark, brand or counter-brand, otherwise than as provided by law, or suffers his ward, child, apprentice or servant to use any other than his own mark, brand or counter-brand on those of the stock they run with, forfeits, to any person suing therefore the stock so marked or branded with any other than the proper mark or brand recorded by him. This provision does not extend to any stock which may descend to any ward, child, apprentice or servant by gift or devise of any person other than the guardian, parent or master of such ward, child, apprentice or servant, but the marks, brands and counter-brands of such minors, apprentices or servants, must be recorded as other marks, brands and counter-brands.

HIDES MUST BE KEPT—All persons slaughtering cattle must keep the hides, with the ears attached, for fifteen days; and all persons having such hides in their possession must exhibit the same for examination on demand being made by any person.

ESTRAYS—Any person finding, at any time, any estray domestic animal upon his premises, or upon the premises to which he has the right of possession, or upon highways adjacent thereto, may take up the same, and have a lien thereon for all expenses incurred and costs of keeping and caring for said animal. The word "estray" is intended to include all domestic animals which have strayed upon, or been found upon, lands other than those of their owner, or the public domain, or lands whose owner (or to which the person in possession thereof) has consented may be passed over, or allowed to be entered on, by said animal. Any person taking up an estray animal shall confine the same in a secure place, and within one week thereafter shall publish, in some newspaper of general circulation, printed and published in the county in which such estray is found, and also file with the county recorder of the county, a notice containing a description of the animal taken up, with the marks and brands, if there be any, together with the probable value of each animal, and a statement of the place where the taker-up found, and where he has confined, the same. The notice shall be published for two weeks. If there be no newspaper of general circulation printed and published in the county where any such estray animal is found, then such publication shall be made in some newspaper of general circulation printed and published in an adjoining county, within the state, provided that the cost of the publication does not exceed $3. If, however, the animal has the owner's brand or mark upon it, and such mark has been recorded, according to law, or if the finder knows the owner of said animal, or the person having charge thereof, then, within five days after said animal has been taken up, he shall notify the owner, or other person having charge thereof, which notice shall contain the same information as the notice to be published and recorded, and shall be in lieu of publishing and recording such notice.

At any time within thirty days from the date of filing the above notice, any person claiming such estray animal shall appear and demand, from the taker-up, the possession thereof, and shall, at the same time, pay to the taker-up all damages, expenses and costs incurred by reason of taking up said animal, and upon receiving such damages, expenses and

WE TRY TO PLEASE OUR CUSTOMERS

AND CAN PLEASE YOU.

costs, the taker-up shall immediately deliver to the party claiming such animal, the possession thereof. Such damages, expenses and costs shall be estimated as follows: The total amount paid by the taker-up to the county recorder, and the reasonable cost of publishing said notice; the sum of 30 cents per day for the keeping and care of each horse, mule, jenny, ass, cow, bull, ox, steer or calf; the sum of 10 cents per day for the keeping and care of each sheep, goat, hog, or other animal not herienbefore specified, but the taker-up of said animal must properly feed and water the same while under his care, and if he fails so to do, shall forfeit all right of lien thereon.

Complete procedure is prescribed for each party protecting and enforcing the rights above enumerated. Nothing in the said Estray Act, however, affects the laws or regulations in force regarding estrays, the pound-keeper, or other pound officer within the limits of any city or town, where laws regarding estrays are in force. On the contrary, the said Estray Act provides that the board of supervisors of any county may, in their discretion, upon the petition of twenty-five or more electors of any township, or portion of any township, not included within the boundaries of any incorporated municipality, appoint a pound-keeper for such township or such portions thereof not included within the boundaries of any incorporated municipality. Where such pound-keeper has been appointed it shall be the duty of any person finding any estray domestic animal upon his premises, or upon the premises to which he has the right of possession, or upon highways adjacent thereto, to deliver the same to the pound-keeper, or notify said pound-keeper thereof, and it shall be the duty of the pound-keeper to take possession thereof, and said pound-keeper shall have a lien for all expenses incurred in keeping and caring for said animal, and the duties, compensations, restrictions and liabilities of said pound-keeper shall be the same as provided with reference to the taker up hereinabove set forth; provided that the said pound-keeper shall not be required to deliver the animal to the constable for sale thereof, but shall, himself, be empowered with the same powers and duties, and shall be subject to the same restrictions, and shall receive the same compensation as the constable in the procedure above referred to.

DESTRUCTION OF INJURIOUS ANIMALS AND TAXATION OF DOGS—The boards of supervisors of their respective counties shall have jurisdiction and power, under such limitations and restrictions as are prescribed by law: To provide for the destruction of gophers, squirrels, and other wild animals, noxious weeds and insects injurious to fruit or fruit trees, or vines, or vegetable or plant life; to provide for the prevention of injuries to sheep by dogs, and to tax dogs, and direct the application of the tax.

BOARD OF EXAMINERS IN VETERINARY MEDICINE—There has been created a board of examiners in veterinary medicine, appointed by the governor, which consists of five reputable practitioners of veterinary medicine, who shall have graduated from such college authorized by law to confer degrees, each of whom shall have been a resident of the state for three years last passed before appointment, and each during said period, shall have been actually engaged in the practice of his profession in the state. The term of office is for four years, but the governor may, in his judgment, remove any member of said board for neglect of duty, or other sufficient cause, after due notice and hearing. The statute creating the board makes complete and effective provisions to insure the proper qualification of all persons practicing veterinary medicine within the state.

QUARANTINE OF DISTRICTS AFFECTED WITH RABIES—An Act was passed, approved June 13th, 1913, providing that whenever any case of rabies, or other animal diseases dangerous to the health of human beings, which may be declared by the state board of health as coming under the provisions of the act, shall be reported as existing in any county, city

A BANK ACCOUNT
IS A GREAT AID
IN SAVING MONEY.

and county, or incorporated city or town of the state, the state board of health shall make a preliminary investigation, and a quarantine may be declared against such animals as may be designated in the quarantine order, and living within the area specified in the order. The board of health shall thereupon investigate the extent of the disease, and may substitute for the quarantine order such regulations as may be deemed adequate for the control of the disease in each area. Full provision is made for the enforcement of the act by all peace officers and boards of health. Officers may enter private premises, and owners in possession of any animal violating the provisions of the Act, are subject to arrest. A rabies treatment fund is created, and a special dog tax to that end provided for, and provision is made for special measures of control through the board of health, or its secretary, and for the payment of expenditures incurred in connection therewith.

APPRENTICE LAWS.

WHO MAY INDENTURE—A minor 14 years of age, or over, may be bound by his father, or by his mother or guardian in case of the father's death, or incompetency, or where the father has wilfully abandoned his family for one year without making suitable provision for their support, or is habitually intemperate, or is a vagrant; by an executor who, by the will of the father is directed to bring up the child to a trade or calling; by the mother alone, if the child is illegitimate; or by the judge of a superior court, if the minor is poor, homeless, chargeable to the county or state, or an outcast who has no visible means of obtaining an honest livlihood. If a minor has no parent or guardian competent to act, he may, with the approval of the superior court, bind himself. The minor's consent must be expressed in the indenture, and testified to by his signing the same. A male may be bound until 21, and a female until 18 years of age.

DUTY OF MASTER—The master must, in the case of an orphan or homeless minor, cause the apprentice to be taught reading, writing, and the ground rules of arithmetic, including ratio and proportion, must give him the requisite instruction in the different branches of his trade, and at the expiration of his term of service, must give him $50 in gold and two new suits of clothes, to be worth in the aggregate, at least $60. In all cases the master must pay and deliver to the apprentice the money, clothes and other property to which he is entitled under the indenture.

INTERFERENCE—It is unlawful to aid, entice, counsel or persuade an apprentice to run away, or to employ, harbor or conceal him, knowing him to be a runaway.

ATTORNEYS AT LAW.

Any citizen or person, resident of this state, who has bona-fide declared his or her intention to become a citizen, in the manner required by law, of the age of twenty-one years, of good moral character, and who possesses the necessary qualifications of learning and ability, is entitled to admission as attorney and counsellor in all the courts of this state. All persons are attorneys of the supreme court who were, on the first day of January, 1880, entitled to practice in the courts superceded thereby. Every citizen of the United States, or person resident of this state, who has bona-fide declared his intention to become a citizen in the manner required by law, who has been admitted to practice law in the highest court of a sister state, or of a foreign country where the common law of England constitutes the basis of jurisprudence, may be admitted to practice in all courts of this state, by any district court of appeal, upon the pro-

BANK DRAFTS
ARE BETTER AND CHEAPER THAN EXPRESS OR
POST OFFICE MONEY ORDERS.

duction of his or her license, and satisfactory evidence of good moral character; but the court may examine the applicant as to his or her qualifications.

Any person producing a diploma of graduation from the College of Law of the University of Southern California, or evidence of having satisfactorily completed the three years course of law study prescribed by the Department of Law of Leland Stanford, Jr., University or the Department of Jurisprudence of the University of California, or the Institution of Law of the University of Santa Clara, shall be entitled to a license to practice law in all the courts of this state, subject to the right of the chief justice of the supreme court of the state to order an examination as in the ordinary cases of applicants, without such diploma or other evidence. If any person shall practice law in any court except a justice's court, or police court, without having received a license as attorney and counsellor, he shall be guilty of a contempt of court.

AUTOMOBILES AND MOTORCYCLES.

APPLICATION FOR REGISTRATION—Every owner of a motor vehicle which shall be operated or driven upon the public highway of the state shall, for each motorcycle owned, cause to be filed, by mail or otherwise, with the state treasurer, or his duly authorized agent, an application for registration on a blank to be furnished by the state department of engineering for that purpose, containing in addition to such other particulars as may be required by the said department, a statement of the name, place of residence and address of the applicant, with a brief description of the motor vehicle, including the name of the maker, the number, if any, affixed by the maker, the character of the motor power, and the amount of such motor power, stated in figures of horse power; and with such application shall be deposited the proper registration fee.

NUMBER GIVEN EACH VEHICLE, HOW TO BE DISPLAYED—Upon the filing of such application, and the payment of the fees provided, the department, or its duly authorized agent, shall assign to such motor vehicle a distinctive number and shall issue and deliver to the owner or applicant a seal of aluminum, or other suitable metal, in such form as may be selected by said department, not less than two inches in its shortest diameter, having stamped thereon the words "Registered Motor Vehicle No..... Cal., 19....", with the registration number, and the year for which such seal is issued inserted therein, the form of which seal shall be uniform for any one year, and may be altered by the state department from year to year; which seal shall, thereafter, at all times, be conspicuously displayed on the motor vehicle to which number has been assigned; provided, that in the event of the loss, mutilation or destruction of any such seal the owner of the registered motor vehicle may obtain from the state department, or its duly authorized agent, a duplicate thereof, upon filing with said department, or its duly authorized agent, an affidavit, showing the facts, and upon the payment of the fee provided.

ANNUAL REGISTRATION—Such registration shall be renewed annually in the same manner, and upon payment of the same fee as provided for the original registration, such renewal to take effect on the first day of January of each year. Number plates and seals furnished by the said department shall be valid only for the calendar year for which they are issued.

FEES—The state treasurer shall collect fees as follows: For the registration of every motorcycle, including the right of the owner thereof to operate the vehicle, two dollars; for the registration of every automobile of less than twenty horse power and above, but less than thirty horse power, ten dollars; for the registration of every automobile of thirty horse power and above, but less than forty horse power, fifteen dollars; for the

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"LAWS AND FACTS CONCERNING BANKS AND BANKING"
ON FOURTH PAGE OF READING MATTER.

registration of every automobile of forty horse power and above, but less than fifty horse power, twenty dollars; for the registration of every automobile of fifty horse power and above, but less than sixty horse power, twenty-five dollars; for the registration of every automobile of sixty horse power and above, thirty dollars; for the registration of motor vehicles owned by, or under the control of, a manufacturer of, or dealer in, motor vehicles, if such persons operate upon the public highways, not more than five automobiles, fifty dollars, and ten dollars for every automobile in excess of five so operated; for the registration of all the motorcycles owned by or under the control of, a manufacturer of or dealer in, motorcycles, who does not manufacture or deal in automobiles, including five seals to be furnished, with the certificate of registration, five dollars; for the registration of every automobile, and of the motorcycles owned by, or under the control of, a manufacturer of, or dealer in, motor vehicles, who applies therefor during the period beginning with the first day of August, and ending on the 31st day of December, in any year, one-half of the foregoing fees. For the substitution of the registration of an automobile for that of a vehicle previously registered, in accordance with the provisions of the Motor Vehicle Act, two dollars; for every original chauffeur's license, two dollars; for the renewal of any chauffeur's license, to operate automobiles, two dollars; for every additional seal of registration or license, fifty cents; for every additional number plate furnished to replace such plates as have been lost or mutilated, or which are illegible, and for every additional number plate furnished to a manufacturer of, or dealer in, motor vehicles, whose business requires more than five pairs of such seals, as have been lost or mutilated, or which are illegible, and for every seal furnished to a manufacturer of, or dealer in, automobiles for use on motorcycles owned by, or under the control of, such persons, fifty cents; but the state department of engineers may furnish, without charge, copies of seals of registration, and license to operate, and copies of other documents relating thereto, to officers of the state, or to any court thereof, or of a city or town therein.

NOT APPLICABLE TO NON-RESIDENTS—The provisions of the Motor Vehicle Act relative to the registration and display of registration or license numbers, shall not apply to a motor vehicle owned by a non-resident of this state who is only temporarily within this state, other than a foreign corporation doing business in this state; provided, that the owner thereof shall have complied with the provisions of the laws of the foreign country or state of his residence relative to motor vehicles, and the registration and operation thereof, and shall conspicuously display, upon said motor vehicle, while operated upon the public highways of this state, his registration number, as required by the provisions of the laws of said foreign country or state; provided further, that the registration number of such other country or state shall be displayed on such motor vehicle substantially as provided in the Motor Vehicle Act for motor vehicles and pursuant to its provisions.

NUMBER OF PLATES MUST BE DISPLAYED AND KEPT CLEAR—No person shall operate or drive a motor vehicle on the public highways of the state unless such vehicle shall, at all times, have the distinctive number assigned to it displayed both on the front of said vehicle and at the back thereof, upon a number plate of such size, form and character as provided by said department, securely fastened to said vehicle, so as to prevent the same from swinging at a minimum distance of sixteen inches from the ground; and no person shall attach to or display on such vehicle any number plate or seal assigned to it under any motor vehicle law other than the Motor Vehicle Act, or any other number, plate or seal than that assigned for the current year, or a fictitious number plate or seal; provided, that one number plate shall be displayed upon every motor vehicle in a conspic-

WE REGARD ALL BUSINESS TRANSACTIONS
AS
STRICTLY CONFIDENTIAL.

uous position, securely fastened to the rear wheel guard of such motor vehicle, or other secure position at the rear thereof, so as to be plainly visible, and that all letters, numbers, seals and other identification marks shall be kept clear and distinct and free from grease, dust or other blurring matter, so that they can be plainly visible at all times during the daylight, and under artificial light in the night time.

GONGS, HORNS, BELLS—Every motor vehicle shall be equipped with a bell, gong, horn, whistle or other device in good working order.

LIGHTS ON AUTOMOBILES—Every motor vehicle other than a motorcycle while in use shall carry during the period from a half hour after sunset to a half hour before sunrise, and at all times when fog or other atmospheric conditions render the operation of vehicles unusually dangerous to the traffic and use of the highway at least two lighted lamps showing white lights visible, under normal atmospheric conditions, at least 500 feet in the direction toward which said motor vehicle is proceeding, and shall also carry at the rear of such motor vehicle a lighted lamp exhibiting one red light, plainly visible for a distance of 500 feet toward the rear, and so placed that the number carried on rear of said motor vehicle shall be illuminated by a white light in such manner that such number can be plainly visible, under normal atmospheric conditions, at a distance of not less than fifty feet in the reverse direction to which said vehicle is proceding.

LIGHTS ON MOTORCYCLES—Every motorcycle, while in use, shall carry during the period from a half hour after sunset to a half hour before sunrise, and whenever fog or other atmospheric conditions render the use of the highway by vehicles unusually dangerous to the traffic and use of the highway at least one lighted lamp showing a white light, visible under normal atmospheric conditions, at least 200 feet in the direction toward which the motorcycle is proceeding, and shall also carry at the rear of such motorcycle one red light, or one red reflex mirror, plainly visible from the rear.

CHAUFFEURS MUST BE LICENSED—No person shall employ for hire as a chauffeur of a motor vehicle any person not licensed, as in the Motor Vehicle Act provided.

RATE OF SPEED—It shall be unlawful to drive at a rate of speed in excess of thirty miles an hour; and, provided, further, that in any event no person shall operate or drive a motor or other vehicle on any public highway where the territory contiguous thereto is closely built up at a greater rate of speed than one mile in three minutes, or in the business district of any incorporated city and county, city or town, at a greater rate than one mile in four minutes, or at a greater rate of speed than one mile in six minutes where the operator's or chauffeur's view of the road traveled is obstructed, either upon approaching an intersecting way, or in traversing a crossing or intersection of ways, or in approaching or traversing a bridge, dam, trestle, causeway or viaduct, or in going around corners or a curve in a street or highway.

RULES FOR PASSING IN OPPOSITE AND IN THE SAME DIRECTION—Vehicles proceding in opposite directions shall pass each other to the right, giving as nearly as possible one-half the road to each. Vehicles overtaking other vehicles proceeding in the same direction shall pass to the left thereof, and shall not again drive to the right until reasonably clear of such overtaken vehicle.

INTOXICATED DRIVERS—The penal code also contains provisions concerning the duties of drivers of vehicles in collision, making the operating or driving of automobile, motorcycle or other motor vehicle by an intoxicated person a misdemeanor, and the doing of any act, or neglecting of any duty, by such intoxicated person punishable by imprisonment in the state prison not exceeding five years, or in the county jail not exceeding one year, or by fine not exceeding $500, or by both such fine and imprison ment.

WE LOAN MONEY
On the Most Favorable Terms
Consistent With Sound Banking.

BANKS AND BANKING.

The banking act of March 1, 1909, which had been amended in 1911, was so greatly amended in 1913 as to constitute practically a new banking act.

CLASSES OF BANKS—It is unlawful for any corporation, partnership, firm or individual to engage in or transact a banking business within the state except by means of a corporation duly organized for such purpose. Banks are divided into the following classes: (a) savings banks; (b) commercial banks, and (c) trust companies. Such corporations may be formed by any board of natural persons not less in any case than three. The term "Trust Company" means any corporation which is incorporated under the laws of the state for the purpose of conducing the business of acting as executor, administrator, guardian of estates, assignee, receiver, depositary or trustee, under appointment by any court, or by authority of the law of this state, or as trustee for any purpose permitted by law.

FOREIGN CORPORATIONS—No foreign corporation shall transact a banking business in this state without first complying with all the requirements of the laws of the state relative to banks, and without having assigned to its business in this state the amount of paid-up capital and surplus required by the banking act for the transaction of such business within the state. No foreign banking corporation shall transact business in this state until such corporation has made an assignment of capital required by the banking act, and has received a certificate from the state superintendent of banks.

DIRECTORS—No person shall be eligible for election as director of a bank having a capital stock unless he is a stockholder of the bank, owning in his own right shares thereof of the par value of at least $500; and every person elected to be a director who, after such election, shall cease to be the owner, in his own right, of the amount of such stock, or shall hypothecate or in any way pledge said stock as security for any loan or debt, shall immediately notify the superintendent of banks in writing of said sale or hypothecation, and such director may be removed from the office of director by the superintendent of banks. If a bank be organized without capital stock no person shall be eligible as a director thereof, unless he is both a member and a depositor of said bank.

PREREQUISITE TO ADVERTISING AS BANK—Every person, firm, company, co-partnership or corporation, domestic or foreign, advertising that he or it is receiving or accepting money or savings, and issuing notes or certificates of deposit thereof, or advertising that he or it is transacting the business of a bank, savings bank or trust company must have the proper capital stock paid in and set aside for the purpose of transacting such business, and must have received from the superintendent of banks, as provided for in the banking act, a certificate to do a banking business.

DEPOSITS NOT OVER $500—Any bank receiving an affidavit stating that a depositor is dead, and showing that the affiant is entitled to be the beneficiary of the deceased, under the succession laws of the state, where the sum on deposit does not exceed $500 may pay to the affiant the deposit, without probate proceedings, and the receipt of such affiant is a sufficient acquittance therefor.

DIVIDENDS—No banking corporation shall declare any dividends except from the net earnings, after deducting all losses but every such bank shall before the declaration of any such dividend, carry at least one-tenth part of the net profits of the stockholders for the preceding half year, or for such period as is covered by the dividend to its surplus until such surplus shall amount to 25 per cent of its paid-up capital stock.

STATE BANKING DEPARTMENT—A state banking department has been created whose chief officer shall be the superintendent thereof, and

WE GIVE PROMPT ATTENTION
TO
COLLECTIONS.

be known as the superintendent of banks. He shall be appointed by the governor, and shall hold office at the pleasure of the governor. He shall not, either directly or indirectly, be interested in any commercial bank, savings bank or trust company, or as an individual banker.

INSPECTION OF BANKS AND TRUST COMPANIES—Every bank and trust department of every title insurance company doing a trust business shall be subject to the inspection of the superintendent of banks. The superintendent of banks, the chief deputy, or some competent person to be appointed by the superintendent of banks, to be known as examiners, shall visit and examine every bank at least once each fiscal year. And full provisions are made for extra examinations, and for the administering of oaths and making an audit upon such examinations.

CERTIFICATE TO TRANSACT BUSINESS—No bank shall transact any business in this state without the written approval of the superintendent of banks, and without his written certificate, stating that it has complied with the provisions of the banking act, and that it is authorized to transact, within the state, the business specified therein.

REPORT TO SUPERINTENDENT OF BANKS—Every bank organized under the laws of this state shall, whenever required by the superintendent of banks, make a report in writing to him, verified by oath of its president and secretary, or cashier, or two principal officers, showing the actual financial condition of the bank making the report at the close of any past day designated by the superintendent. Every foreign corporation transacting the business of banking in this state shall make, in like manner, a report as far as it may relate to the affairs of such corporation in this state. The reports here specified shall be called for by the superintendent at least three times each year, and special reports shall be likewise rendered to him when called for.

DRAWING OF BANK CHECKS WITH INTENT TO DEFRAUD—Every person who wilfully, with intent to defraud, makes or draws or utters or delivers to another person any check or draft on a bank, banker or depositary for the payment of money, knowing, at the time of such making, drawing, uttering or delivery that he has not sufficient funds in or credit with such bank, banker or depositary to meet such check or draft in full upon its presentation, is punishable by imprisonment in the state prison for not less than one year nor more than fourteen years. The word "credit" as used herein shall be construed to be an arrangement or understanding with the bank or depositary for the payment of such check or draft.

NATIONAL BANKS—National banks are such as are organized under the laws of the United States, and are required to have a capital of not less than $25,000. In cities and towns the capital required is regulated in accordance with the population of said city or town. In cities of over 6,000 and less than 50,000 the capital of such bank must be not less than $100,000. In cities of more than 50,000 inhabitants the minimum capital is $200,000. Each stockholder in a national bank is liable not only for the amount of his stock in such bank, but is liable in an additional amount of such stock. The business of the bank is managed by its directors, who are required to exercise due care and good faith, and they are responsible in a civil suit, and criminally, for any fraud or mismanagement of the bank's affairs. Any person engaged in the banking business who receives deposits after the bank has become insolvent is guilty of a criminal offense.

CITIES AND TOWNS.

Any portion of a county containing not less than 500 inhabitants, and not incorporated as a municipal corporation, may become incorporated under the provisions of the municipal corporation act, and when so incor-

WE EXTEND THE ACCOMMODATIONS
OF
A SOLID, WELL EQUIPPED BANK.

porated shall have the powers conferred upon municipal corporations of the class to which the same may belong.

CLASSIFICATION—All municipal corporations having a population of more than 400,000 shall constitute the first class; those having a population of more than 250,000 and not exceeding 400,000, the first and one-half class; those having a population of more than 100,000 and not exceeding 250,000, the second class; those having a population of more than 35,000 and not exceeding 100,000, the second and one-half class; those having a population of more than 23,000 and not exceeding 35,000, the third class; those having a population of more than 20,000 and not exceeding 23,000, the fourth class; those having a population of more than 6,000 and not exceeding 20,000, the fifth class; those having a population not exceeding 6,000, the sixth class. But these designations do not change the classification of existing cities organized under the municipal corporation act.

For the purpose of classifying municipal corporations, as above provided, the population of all municipal corporations within the state is determined to be the population of such municipal corporation as shown by the federal census taken in the year 1910; but whenever a new federal census is taken the municipal corporations within the state are not, by operation of law, re-classified under such census, but remain in the old classification until re-classified by the legislature, unless a direct enumeration of the inhabitants thereof be made, as provided in the municipal corporation act. The municipal corporation act provides for the offices, executive, judicial and legislative, of the respective classes of municipal corporations, together with their powers, duties, rights and compensations.

RECALL OF MUNICIPAL OFFICERS—The holder of any elective office of an incorporated city or town may be removed or recalled at any time by the electors after he has held office at last six months, but this provision of the state law is not intended to apply to those cities having freeholders' charter, and having in such charter provision for the recall of elective officers by electors.

INITIATIVE AND REFERENDUM—Ordinances may be effected by and for any incorporated city or town of the state by direct legislation, through the initiative and referendum, but this provision of the state law is not intended to apply to those cities having a freeholders' charter, and having in such charter provision for the direct initiative of ordinances by the electors.

CHILDREN AND MINORS; See Also Adoption.

Minors are males under 21 years of age, and females under 18 years. All other persons are adults. A child conceived, but not yet born, is deemed to be an existing person, so far as may be necessary for its interests in the event of its subsequent birth. The father and mother of a legitimate unmarried child are equally entitled to its custody, services and earnings. If either the father or mother be dead or unable, or refuse to take the custody or has abandoned his or her family the other is entitled to its custody, services and earnings. The mother of an illegitimate unmarried child is entitled to its custody, services and earnings. A minor cannot give a delegation of power, nor, under the age of 18, make a contract relating to real property, or any interest therein, or relating to any personal property not in his immediate possession or control. A minor may make any other contract than as above specified in the same manner as an adult, subject only to his power of disaffirmance, as follows: The contract of a minor, if made while under the age of 18, may be disaffirmed by the minor himself, either before his majority, or within a reasonable time afterwards; or, in case of his death within that period, by his heirs or personal representatives; and if the contract be made while the minor is over 18 it may

MONEY
DEPOSITED WITH US
IS BEYOND THE REACH OF HOUSEBREAKERS.

be disaffirmed in like manner upon restoring the consideration to the party from whom it was received, or paying its equivalent, except that a minor cannot disaffirm a contract, otherwise valid, to pay the reasonable value of things necessary for his support, or that of his family, entered into by him when not under the care of a parent or guardian able to provide it for them, and except, also, an obligation, otherwise valid, entered into by him under the express authority or direction of a statute.

All children born in wedlock are presumed to be legitimate, and all children of a woman who has been married born within ten months after the dissolution of the marriage are presumed to be the legitimate children of that marriage. And the presumption of legitimacy can be disputed only by the husband or wife, or a descendant of one or both of them.

A child born before wedlock becomes legitimate by the subsequent marriage of its parents.

The authority of a parent ceases: (1) upon the appointment by a court of a guardian of the person of a child; (2) upon the marriage of the child; or (3) upon its attaining majority.

COMMON CARRIERS; See Also Public Utilities

Everyone who offers to the public to carry persons, property or messages excepting only telegraphic messages, is a common carrier of whatever he thus offers to carry. A common carrier must, if able to do so, accept and carry whatever is offered to him, at a reasonable time and place, of the kind that he undertakes, or is accustomed to carry. And he must not give preference in time, price or otherwise to one person over another, but he must always give a preference in time, and may give a preference in price to the United States and to this state. He must start at such time and place as he announces to the public, unless detained by accident or the elements, or in order to connect with carriers on other lines of travel. He is entitled to a reasonable compensation, and no more, and he may require to be paid in advance. If payment thereof is refused he may refuse to carry. His obligation cannot be limited by general notice on his part, but may be limited by special contract. He cannot be exonerated by any agreement made in anticipation thereof from liability for the gross negligence, fraud or willful wrong of himself or his servants. He is not responsible for the loss or miscarriage of a letter, or package having the form of a letter containing money or notes, bills of exchange or other papers of value, unless he be informed at the time of its receipt of the value of its contents.

A common carrier of persons, unless his vehicle is fitted for the reception of persons exclusively, must receive and carry a reasonable amount of baggage for each passenger without charge, except for an excess of weight over 100 pounds to a passenger; if such carrier is a proprietor of a stage line he need not receive and carry for each passenger by such stage line, without charge, more than sixty pounds of baggage.

Luggage may consist of whatever the passenger takes with him for his personal use and convenience, according to the habits or wants of the particular class to which he belongs, either with reference to the important necessities or to the ultimate purposes of his journey. Luggage within the meaning of this paragraph shall include the samples, cases, wares, appliances and catalogues of commercial travelers or their employes used by them for the purpose of transacting their business, and carried with them solely for that purpose, when securely packed and locked in substantial trunks or sample cases of convenient shapes and weight for handling. No crate, cover or other protection shall be required for any bicycle carried as luggage, but no passenger shall be entitled to carry, as luggage, more than

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TO
SMALL OR LARGE DEPOSITORS.

one bicycle. The liability of the carrier for luggage received by him with a passenger is the same as that of a common carrier of property.

A passenger who refuses to pay his fare, or to conform to any lawful regulation of the carrier, may be ejected from the vehicle by the carrier, but this must be done with as little violence as possible, and at any usual stopping place, or near some dwelling house.

Unless a consignor accompanies the freight and retains exclusive control thereof an inland common carrier of property is liable from the time he accepts until he relieves himself from liability for the loss or injury thereof from any cause whatever, except: (1) an inherent defect, vice or weakness, or a spontaneous action of the property itself; (2) the act of a public enemy of the United States or of this state; (3) the act of the law; or (4) any irresistible superhuman cause. A common carrier is liable, even in the cases excepted by the preceding enumeration if his want of ordinary care exposes the property to the cause of loss. A common carrier is liable for delay only when it is caused by his want of ordinary care and diligence.

A carrier of messages by telegraph must, if it is practicable, transmit every said message immediately upon its receipt, unless it is not practicable, and several messages accumulate upon his hands.

COMMUNITY PROPERTY; See Also Descent.

SEPARATE PROPERTY OF THE HUSBAND—All property owned by the husband before marriage and that acquired afterwards by gift, bequest, devise or descent, with the rents, issues and profits thereof, is his separate property.

COMMUNITY PROPERTY—All other property acquired after marriage by either husband or wife, or both, is community property; but whenever any property is conveyed to a married woman by an instrument in writing the presumption is that the title is thereby vested in her as her separate property. And in case the conveyance be to said married woman and to her husband, or to her and any other person, the presumption is that the married woman takes the part conveyed to her as tenant in common, unless a different intention is expressed in the instrument, and the presumption in this section mentioned is conclusive in favor of a purchaser or encumbrancer in good faith, and for a valuable consideration; and in cases where married women have conveyed or shall hereafter convey real property which they acquired prior to May 19, 1889, the husbands, or their heirs or assigns, of such married woman shall be barred from commencing or maintaining any action to show that the said real property was community property or to recover said real property as follows: As to conveyances made before March 4, 1897, from and after one year thereafter, and as to conveyances made after March 4, 1897, from and after one year from the filing for record in the recorder's office of such conveyance.

Another definition is that community property is property acquired by the husband and wife, or either during marriage, when not acquired as the separate property of either.

WIFE'S PROPERTY NOT LIABLE FOR DEBTS OF HUSBAND, BUT LIABLE FOR HER OWN DEBTS—The separate property of the wife is liable for her own debts contracted before or after her marriage, but is not liable for her husband's debts; provided, that such property is liable for the payment of debts contracted by the husband or wife for the necessaries of life furnished to them, or either of them, while they are living together, but the provisions of this paragraph shall not apply to the separate property of the wife held by her at the time of her marriage, or acquired by her by devise or succession after marriage.

For civil injuries committed by a married woman damages may be recovered from her alone, and her husband shall not be liable therefor,

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STRENGTH AND SAFETY.

except in cases where he would be jointly liable with her, if the marriage did not exist.

MANAGEMENT, CONTROL AND DISPOSITION OF COMMUNITY PROPERTY—The husband has the management and control of the community property, with a like absolute power of disposition, other than testamentary, as he has of his separate estate; but he cannot make a gift of such community property, or convey the same, without a valuable consideration, unless his wife, in writing, consents thereto; and no sale, conveyance, or encumbrance of the furniture, furnishings and fittings of the home or of the clothing and wearing apparel of the wife, or minor child, which is community property, shall be made without the written consent of the wife.

COMMUNITY PROPERTY NOT LIABLE FOR CONTRACTS OF WIFE—The property of the community is not liable for the contracts of the wife made after marriage, unless secured by a pledge or mortgage thereof, executed by the husband.

COMPULSORY EDUCATION.

Every parent, guardian, or other person having control or charge of any child between 8 and 14 years must send such child to a public, private or parochial school, or private tutor, for a period of at least five months, during which a public school shall be in session, and at least 18 weeks of such attendance shall be consecutive; but such attendance may be excused on account of the child's bodily or mental condition, upon the certificate of a reputable physician, or upon proof that the parents are extremely poor or sick, and that the services of the child are actually needed to support such parents; or that no public school is located within two miles, by the nearest traveled road, of the residence of the child; or that circumstances render attendance impracticable or dangerous to health, owing to unusual storm or other sufficient cause. Stringent penalties are attached to failure to send the child to school.

CONTRACTS.

A contract is an agreement to do or not to do a certain thing. It is essential to the existence of a contract that there shall be parties capable of contracting, their consent, a lawful object, and a sufficient cause or consideration. All persons are capable of contracting except minors, persons of unsound mind, and persons deprived of civil rights.

A contract is either express or implied. An express contract is one, the terms of which are stated in words; and an implied contract is one, the existence and terms of which are manifested by conduct. All contracts may be oral, except such as are specially required by the statute to be in writing.

The following contracts are invalid unless the same, or some note or memorandum thereof, is in writing, and subscribed by the party to be charged, or by his agent:

1. An agreement that, by its terms, is not to be performed within a year from the making thereof;

2. A special promise to answer for the debt, default or miscarriage of another, except in certain instances enumerated in section 2794 of the civil code, where an engagement to answer for the obligation of another is deemed original;

3. An agreement made upon consideration of marriage, other than a mutual promise to marry;

4. An agreement for the sale of goods, chattels or things in action, at a price not less than $200, unless the buyer accepts or receives part of

such goods and chattels, or the evidences, or some of them, of such things in action, or pays at the time some part of the purchase money; but when a sale is made at auction, an entry by the auctioneer in his sale book, at the time of the sale, of the kind of property sold, the terms of the sale, and the price, and the names of the purchaser and person on whose account the sale is made, is a sufficient memorandum;

5. An agreement for leasing for a longer period than one year, or for the sale of real property, or of an interest therein; and such agreement, if made by an agent of the party sought to be charged, is invalid unless the authority of the agent is in writing, subscribed by the party sought to be charged;

6. An agreement authorizing and employing an agent or broker to purchase or sell real estate for compensation, or for a commission;

7. An agreement which, by its terms, is not to be performed during the lifetime of the promissor, or an agreement to devise or bequeath any property, or to make any provision for any person by will.

A contract must be so interpreted as to give effect to the mutual intention of the parties as it existed at the time of contracting, so far as the same is ascertainable and lawful. The language of a contract is to govern its interpretation, if the language is clear, and explicit, and does not involve an absurdity. The words of a contract are to be understood in their ordinary and popular sense rather than according to their strict legal meaning; unless used by parties in a technical sense, or unless a special meaning is given to them by usage, in which case the latter must be followed.

CONVEYANCES, DEEDS AND TRANSFERS.

Transfer is an act of the parties, or of the law, by which the title to property is conveyed from one living person to another.

GRANT—A transfer in writing is called a grant, or conveyance or bill of sale. The term "grant" includes all these instruments only when it is especially applied to real property. A grant takes effect so as to vest the interest intended to be transferred only upon its delivery by the grantor, but is presumed to have been delivered at its date. A grant cannot be delivered to the grantee conditionally; delivery to him, or his agent, as such, is necessarily absolute, and the instrument takes effect thereupon, discharged of any condition on which the delivery was made. Redelivering a grant of real property to the grantor, or cancelling it, does not operate to re-transfer the title.

ESCROW—A grant may be deposited by the grantor with a third person, to be delivered on performance of a condition, and, on delivery by the depositary, it will take effect. While in the possession of the third person, and subject to condition, it is called an escrow.

REQUISITE FOR TRANSFER OF CERTAIN ESTATES—An estate in real property, other than an estate at will, or for a term not exceeding one year, can be transferred only by operation of law, or by an instrument in writing, subscribed by the party disposing of the same, or by his agent thereunto duly authorized by writing.

FORM OF GRANT—A grant of an estate in real property may be made in substance as follows:

"I, A B, grant to C D all that real property situated in (insert name of county) county, State of California, bounded (or described) as follows: (Here insert description, or, if the land sought to be conveyed has a distinctive name, it may be described by the name, as for instance, 'The Norris Ranch').

"Witness my hand this (insert day) day of (insert month), 19.... "A B".

GRANT BY MARRIED WOMAN, HOW ACKNOWLEDGED—A grant or

WE RECEIVE
DEPOSITS
SUBJECT TO CHECK.

conveyance of real property made by a married woman may be made, executed and acknowledged in the same manner, and has the same effect, as if she were unmarried.

FEE SIMPLE TITLE AND SUBSEQUENTLY ACQUIRED TITLE—A fee simple title is presumed to be intended to pass by a grant of real property, unless it appears from the grant that a lesser estate was intended, and where a person purports by proper instrument to grant real property in fee simple, and subsequently acquires any title, or claim of title thereto, the same passes by operation of law to the grantee or his successors.

CERTAIN TERMS AND COVENANTS—Every grant of an estate in real property is conclusive against the grantor, and also against everyone subsequently claiming under him, except a purchaser or incumbrancer who, in good faith, and for a valuable consideration, acquires a title or lien by an instrument that is first duly recorded.

The use of the word "grant" in any conveyance implies, on the part of the grantor, for himself and for his heirs to the grantee and his heirs and assigns, the following covenants:

(1) That previous to the time of execution of such conveyance the grantor has not conveyed the same estate, or any right, title or interest therein, to any person other than the grantee;

(2) That such estate is, at the time of the execution of such conveyance, free from any incumbrances done, made or suffered by the grantor or any person claiming under him. The term "encumbrance" includes taxes, assessments, and all liens upon real property.

GIFTS—A gift is a transfer of personal property made voluntarily and without consideration. A verbal gift is not valid unless the means of obtaining possesion and control of the thing are given, nor, if it is capable of delivery, unless there is an actual or symbolical delivery of the thing to the donee. A gift, other than a gift in view of death, cannot be revoked by the giver. A gift in view of death is one which is made in contemplation, fear or peril of death, and with intent that it shall take effect only in case of the death of the giver.

CORPORATIONS.

A corporation is a creature of the law, having certain powers and duties of a natural person. Being created by the law, it may continue for any length of time which the law prescribed. Corporations are either public or private. Public corporations are formed or organized for the government of a portion of the state. All other corporations are private. Private corporations may be formed by voluntary association of any three or more persons, in any manner prescribed by the statute, a majority of which persons must be residents of the state, and may be formed for any purpose for which individuals may lawfully associate themselves.

ARTICLES OF INCORPORATION, WHAT TO CONTAIN—Articles of incorporation must be prepared, setting forth:

1. The name of the corporation;
2. The purposes for which it is formed;
3. The place where its principal business is to be conducted;
4. The term for which it is to exist, not exceeding fifty years;
5. The number of its directors or trustees which shall not be less than three, and the names and residences of those who are appointed for the first year.

Provided, that the corporate powers, business and property of corporations formed or to be formed, for the purpose of erecting and managing halls and buildings for the meetings and accommodations of several lodges or societies, or any benevolent or charitable order or organization,

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IN A BANK
AND PAY YOUR OBLIGATIONS BY CHECK.

and in connection therewith the leasing of stores and offices in such building or buildings for other purposes, may be conducted, exercised and controlled by a board of not less than three, or more than fifty, directors, to be chosen from among the stockholders of such corporation, or among the members of such order or organization; and provided, also, that at any time during the existence of corporations for profit, other than those of the character last mentioned, the numbers of the directors may, by a majority of the stockholders of the corporation, be increased or diminished to any number not less than three, who must be members of the corporation; whereupon, a certificate stating the number of directors must be filed, as provided for by law for the filing of the original articles of incorporation; and provided also that the corporate powers, business and property of corporations formed or to be formed, for social purposes, and not directly for profit, may be organized conducted and controlled by a board, consisting of such number of directors as may be in the constitution or by-laws provided; and corporations so formed may, in their constitution or by-laws, provide for the length of time that the directors, or any number thereof, shall act, and may, in like manner, provide that certain directors, or a certain number of the board of directors, to be selected by the corporation or the board of directors, in the mode and manner provided in the constitution and by-laws, shall act for any specified length of time, or otherwise, as shall be in the constitution or by-laws set forth;

6. The amount of its capital stock, and the number of shares into which it is divided.

Corporations formed for profit, pursuant to these provisions, may, by their articles of incorporation, provide for the classification of their capital stock into preferred and common stock. In the event that the articles of incorporation shall provide for such classification, the same must contain a statement of the number of shares of stock to which preference is granted, and the number of shares of stock to which no preference is granted. The articles of incorporation shall also state, in clear and succinct manner, the nature and extent of the preference granted, and except as to the matters and things so stated, no distinction shall exist between said classes of stock, or owners thereof; but no preference shall be granted, nor shall any distinction be made, between the classes of stock, either as to voting power, or as to the statutory or constitutional liability of the holders thereof to the creditors of the corporation;

7. If there is a capital stock, the amount actually subscribed, and by whom.

PROCEDURE FOR INCORPORATING—Upon filing the articles of incorporation in the office of the county clerk of the county in which the principal business of the company is to be transacted, and a copy thereof, certified by the county clerk with the secretary of state, the secretary of state must issue to the corporation, over the great seal of the state, a certificate that a copy of the articles containing the required statements of facts has been filed in his office, and thereupon the persons signing the articles, and their agents and successors, shall be a body politic and corporate by the name stated in the certificate, and for the term of fifty years, unless it is in the articles of incorporation otherwise stated, or by law otherwise specially provided; provided, however, that the secretary of state shall not file any copy of any articles, or issue any certificates of incorporation to any corporation, which articles set forth the corporate name of any corporation heretofore organized in this state, or to any corporation existing at the time of filing said articles, where the name set forth in the new articles so closely resembles the name of such corporation that it would tend to deceive.

A corporation must organize and commence the transaction of business

If you make your payments by CHECK
You Have a Record
WHICH CANNOT BE DISPUTED.

within one year from the date of its incorporation. Failing to do so, its corporate power ceases. Immediately after their election the directors must organize by the election of a president, who must be one of their number, a secretary and treasurer. A majority of the directors is a sufficient number to form a board for the transaction of business, and every decision of a majority of the directors forming such board, made when duly assembled, is valid as a corporate act.

LIABILITY OF STOCKHOLDERS—A peculiarity of California law is that each stockholder of a corporation is individually and personally liable for such proportion of all its debts and liabilities contracted or incurred during the time he is a stockholder as the amount of stock or shares owned by him bears to the whole subscribed capital stock or shares of the corporation. Under this provision the United States supreme court, in the case of Thomas versus Matthiessen, decided February 2, 1914, held that a citizen of New York, a stockholder of an Arizona corporation, doing business in California, is personally liable to the creditors of the corporation for a proportionate share of the debts of the corporation.

FOREIGN CORPORATIONS; DESIGNATION OF RESIDENT AGENT—Foreign corporations may be admitted to do business in this state, but no foreign corporation can be given preference over, or greater power than that possessed by a domestic corporation. And every foreign corporation must, at the time of filing a certified copy of its articles of incorporation, file in the office of the secretary of state a designation of some person residing within the state upon whom process, issued by the authority of, or under, any law of this state, may be served.

COUNTIES.

A county is a legal sub-division of the state, and every county is a body corporate and politic, and as such has the powers specified in the statute, and such other powers as are necessarily implied from those expressed. Their powers can only be exercised by the board of supervisors, or by agents and officers acting under their authority or authority of law. A county has power to sue and be sued, purchase, receive by gift or bequest and hold land within its limits; to make such contracts, and purchase and hold such personal property as may be necessary to the exercise of its powers; to manage and dispose of its property, as the interest of its inhabitants may require; to levy and collect state taxes for such purposes under its exclusive jurisdiction as are authorized by law. No county shall in any manner give or loan its credit to, or in aid of, any person or corporation. An indebtedness or liability incurred contrary to this provision is null and void.

OFFICERS OF A COUNTY—The officers of a county are: A district attorney; sheriff; county clerk; auditor; treasurer; recorder; license collector; tax collector, who shall be ex-officio license collector; assessor; superintendent of schools; public administrator; coroner; surveyor; members of the board of supervisors; livestock inspector; fish and game warden; registrar of voters; sealer of weights and measures and such other officers as may be provided by law.

CLASSIFICATION OF COUNTIES—Counties are divided into 58 classes, in numerical order, according to their population (as ascertained and determined in the statute) and the salaries of the officers thereof are separately fixed for each class. Whenever a new federal census is taken the counties are not, by operation of law, re-classified under such census, but shall remain in the old classification until re-classified by the legislature.

BOARD OF SUPERVISORS—The board of supervisors is the legislative department of the county, has general charge of its affairs, except as otherwise provided by law. Each county must have a board of supervisors, consisting of five members, not more than three of which shall be elected at the same general election. If in any county the terms of office of more than

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IN A BANK.

three of the board of supervisors, where the board consists of five members, expire at the same time, such members shall, at the first regular meeting after the first of January following the first election of such members, so classify themselves by lot that not more than three members so elected shall serve for four years, and two for the term of two years, and thereafter the term of office of each member shall be four years. The county clerk is ex-officio clerk of the board of supervisors, and must record all the proceedings of the board.

RECALL OF OFFICERS—The holder of any elective office of any county, or of any township or supervisor district thereof, may be removed or recalled at any time by the electors after he has held office at least six months, and full procedure for such removal or recall is set forth in the statute.

COURTS.

CLASSIFICATION—The following are the courts of justice in this state: (1) The court of impeachment; (2) the supreme court; (3) the district courts of appeal; (4) the superior courts; (5) the justices' courts; (6) the police courts; and such other inferior courts as the legislature may establish in any incorporated city or town, or city and county. The courts enumerated in the first four sub-divisions of the preceding sentence are courts of record. There are no "terms of court" in California, but the courts are always open. The court of impeachment is the senate; when sitting as such, the senators shall be upon oath, and at least two-thirds of the members elected shall be necessary to constitute a quorum.

THE SUPREME COURT—The supreme court consists of a chief justice and six associate justices, who are elected by the qualified electors of the state at large at the general state elections, other than presidential elections, and hold their offices for the term of twelve years from and after the first Monday after the first day of January next succeeding their election, but the terms of the six associate justices have been so classified that the term of two of them expire every four years. There are two departments of the supreme court, designated respectively: department 1 and department 2. The chief justice assigns three associate justices to each department, and such assignment may be changed by him from time to time, but the associate justices are competent to sit in either department, and may interchange with one another by agreement among themselves, or, if no such agreement is made, as ordered by the chief justice. The chief justice may sit in either department, and shall preside when so sitting. The presence of three justices is necessary to transact any business in either of the departments, except such as may be done at the chambers. The chief justice, or any four justices, may convene the court in bank at any time, and the chief justice shall be the presiding justice of the court when so convened. The presence of four justices shall be necessary to transact any business, and the concurrence of four justices present at the argument shall be necessary to pronounce a judgment in the court in bank. The sessions of the supreme court are held at the capital of the state at Sacramento, and also at San Francisco and Los Angeles.

The jurisdiction of the supreme court is of two kinds, original and appellate. In the exercise of its original jurisdiction it has power to issue writs of mandamus, certiorari, prohibition and habeas corpus. And it also has power to issue any writs necessary and proper to the complete exercise of its appellate jurisdiction.

DISTRICT COURTS OF APPEAL—The jurisdiction of the district courts of appeal is also of two kinds: original and appellate, and in the exercise of their original jurisdiction shall have power to issue the same writs as the supreme court.

The state is divided into three appellate districts, in each of which

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AND CAN PLEASE YOU.

there is a district court of appeals, consisting of three justices. The supreme court, by orders entered in its minutes may, from time to time, remove one or more counties from one appellate district to another, but no county not contiguous to another county of the district shall be added to such district. Said district courts of appeal shall hold their regular sessions respectively at San Francisco, Los Angeles and Sacramento. The supreme court shall have power to order causes pending before a district court of appeal from one district to be transferred to the district court of appeal of another district for hearing and decision. The terms of office are the same as those of the justices of the supreme court, and they have been so classified that the term of one justice in each district expires every four years. One justice in each district shall be the presiding justice thereof, and as such shall be appointed or elected, as the case may be. The presence of three justices shall be necessary for the transaction of any business by such court, except such as may be done at the chambers, and the concurrence of three justices shall be necessary to pronounce a judgment. Whenever any justice of the district court of appeal is for any reason disqualified or unable to act in any cause pending before it, the supreme court may appoint a justice of the district court of appeal of another district, or a judge of the superior court, who has not acted in the cause in the court below, to act pro tempore in the place of the justice so disqualified or unable to act. The district courts of appeal shall conduct the examinations for admission to practice before the supreme court and all courts of record in the state.

SUPERIOR COURTS—There shall be in each of the organized counties or cities and counties of the state, a superior court, for each of which one judge, and for some of which two or more judges, as specified by law, shall be elected by qualified electors of the county, or city and county, at the general state election next preceding the expiration of the terms of office of their predecessors respectively. The term of office is six years. The superior court is the general trial court of the state. It has jurisdiction of all matters of law and equity, probate, and special proceedings, and criminal cases, and has appellate jurisdiction from all inferior courts.

JUSTICES' COURTS—The justices' courts shall have civil jurisdiction:

1. In actions arising on contract for the recovery of money, only if the sum claimed, exclusive of interest, does not amount to $300;

2. In actions for damages for injury to persons, or for taking, detaining or injuring personal property, or for injury to real property, where no issue is raised by the verified answer of the defendant involving the title to or possesion of the same, if the damage claimed does not amount to $300;

3. In actions to recover the possession of personal property, if the value of such property does not amount to $300.

4. In actions for fine, penalty or forfeiture, not amounting to $300, given by statute or ordinance of an incorporated city and county, city or town, where no issue is raised by the answer involving the legality of any tax, impost, assessment, toll or municipal fine;

5. In actions upon bonds or undertakings conditioned for the payment of money, if the sum claimed does not amount to $300, though the penalty may exceed that sum;

6. To take and enter judgment for the recovery of money on the confession of the defendant, when the amount confessed, exclusive of interest, does not amount to $300.

The justices' courts shall have concurrent jurisdiction with the superior court within their respective townships:

1. In actions of forcible entry and detainer, where the rental value of the property entered upon or lawfully detained does not exceed $25 per month, and the whole amount of damages claimed does not exceed $200;

A BANK ACCOUNT
IS A GREAT AID
IN SAVING MONEY.

2. In actions to enforce and foreclose liens on personal property where neither the amount of the liens nor the value of the property amounts to $300.

Except that in the last preceding paragraphs provided, the jurisdiction of justices courts shall not in any case trench upon the jurisdiction of the several courts of record of the state.

The justices' courts have jurisdiction of the following public offenses committed within the respective counties in which such courts are established: (1) Petty larceny; (2) assault or battery not charged to have been committed upon a public officer in the discharge of his duties, or to have been committed with such intent as to render the offense a felony; (3) breaches of the peace, riots, routs, affrays, committing wilful injury to property, and all misdemeanors punishable by fine not exceeding $500, or imprisonment not exceeding 6 months or by both such fine and imprisonment.

JUVENILE COURTS—The juvenile court law applies only to persons under the age of 21 years, and not now or hereafter inmates of a state institution. The superior court in every county of the state shall be known and referred to as the "juvenile court" when sitting in the exercise of the jurisdiction conferred by the statute concerning neglected, abandoned and delinquent persons, providing for their care, custody and maintenance, until 21 years of age; providing for their commitment to the Whittier state school, and the Preston school of industry, establishing a probation committee, and probation officers to deal with such persons; providing for detention homes for said persons, and providing for the punishment of those responsible for, or contributing to, the neglect, dependency or delinquency of said persons.

THE RECALL—The provisions of the statute concerning the recall of elective officers in this state includes the elected judiciary.

DEBTOR AND CREDITOR.

CONTRACTS OF DEBTOR ARE VALID AGAINST CREDITOR—In the absence of fraud, every contract of a debtor is valid against all his creditors, existing or subsequent, who have not acquired a lien on the property affected by such contract.

PREFERENCE—A debtor may pay one creditor in preference to another, or may give to one creditor security for the payment of his demand in preference to another.

RELATIVE RIGHTS OF DIFFERENT CREDITORS—Where a creditor is entitled to resort to each of several funds for the satisfaction of his claim, and another person has an interest in, or is entitled, as a creditor, to resort to some, but not all of them, the latter may require the former to seek satisfaction from those funds to which the latter has no such claim, so far as it can be done without impairing the right of the former to complete satisfaction, and without doing injustice to third parties.

TRANSFER WITH INTENT TO DEFRAUD CREDITORS—Every transfer of property or charge thereon made, every obligation incurred, and every judicial proceeding taken, with intent to delay or defraud any creditor, or other person, of his demands, is void against all creditors of the debtor, and their successors in interest, and against any person upon whom the estate of the debtor devolves in trust for the benefit of others than the debtor. The question of fraudulent intent is one of fact, and not of law; nor can any transfer or charge be adjudged fraudulent solely on the ground that it was not made for a valuable consideration; but any transfer or encumbrance of property made or given fraudulently or without a valuable consideration by a party while insolvent, or in contemplation of insolvency, shall be fraudulent and void as to existing creditors.

SALE IN BULK—The sale of a stock in trade (or of such quantity of the stock in trade as to be substantially the whole) in bulk will be con-

BANK DRAFTS
ARE BETTER AND CHEAPER THAN EXPRESS OR
POST OFFICE MONEY ORDERS.

clusively presumed to be fraudulent and void as against the existing creditors of the vendor, unless at least five days before the consummation of such sale, the vendor, or intended vendee, shall record in the office of the county recorder in the county or counties in which said stock in trade is situated, a notice of said intended sale, stating the name and address of the intended vendor, and the name and address of the intended vendee, and a general statement of the character of the property or merchandise intended to be sold, and the date when, and the place where, the purchase price, if any there be, is to be paid; if such intended sale is to be at public auction, the notice above required to be recorded shall state that fact, the time, terms and place of said sale, and the names and addresses of the vendor and auctioneer, and a general statement of the character of the property or merchandise intended to be sold; but such sale shall in no event occur within five days of the date of recordation of said notice. The above provisions, however, do not apply to any sale under the direction or order of a court, or by an executor, administrator, guardian, receiver, or other officer acting in the regular discharge of official duty, or in the discharge of a trust imposed by law, nor to any transfer made for the benefit of creditors generally, nor to any sale of property exempt from execution.

ASSIGNMENT FOR BENEFIT OF CREDITOR—An insolvent debtor may, in good faith, execute an assignment of property in trust for the satisfaction of his creditors, in conformity with the provisions of the statute, subject, however to the provisions of law relative to trusts and fraudulent transfers, and to the restriction imposed by law upon assignments by special partnerships, by corporations, or by other specific classes or persons.

INSOLVENCY DEFINED—A debtor is insolvent when he is unable to pay his debts from his own means as they become due.

DEEDS; See Conveyances.

DESCENT.

SUCCESSION TO SEPARATE PROPERTY—When any person having title to any estate not otherwise limited by marriage contract, dies without disposing thereof by will, it is succeeded to, and must be distributed, unless otherwise expressly provided in the civil code and code of civil procedure, subject to the payment of his debts in the following manner;

1. If the decedent leaves a surviving husband or wife, and only one child, or the lawful issue of one child, in equal shares to the surviving husband, or wife and child, or issue of such child. If the decedent leaves a surviving husband or wife, and more than one child living, or one child living and the lawful issue of one or more deceased children, one-third to the surviving husband or wife, and the remainder in equal shares to his children and to the lawful issue of any deceased child, by right of representation; but if there is no child of decedent living at his death, the remainder goes to all of his lineal descendants; and if all of the descendants are in the same degree of kindred to the decedent, they share equally otherwise they take according to the right of representation. If the decedent leaves no surviving husband or wife, but leaves issue, the whole estate goes to such issue and if such issue consists of more than one child living or one child living and the lawful issue of one or more deceased children then the estate goes in equal shares to the children living, or to the child living and the issue of the deceased child or children by right of representation;

2. If the decedent leaves no issue, the estate goes one-half to the surviving husband or wife, and the other half to the decedent's mother and father in equal shares, and if either is dead the whole of said half goes to the other. If there is no father or mother, then one-half goes in equal shares to the brothers and sisters of decedent and to the children or grandchildren of any deceased brother or sister by right of representation.

READ
"LAWS AND FACTS CONCERNING BANKS AND BANKING"
ON FOURTH PAGE OF READING MATTER.

If the decedent leaves no issue, nor husband nor wife, the estate must go to his father and mother in equal shares, or if either is dead then to the other.

3. If there is neither issue, husband, wife, father, nor mother then in equal shares to the brothers and sisters of decedent and to the children or grandchildren of any deceased brother or sister, by right of representation.

4. If the decedent leaves a surviving husband or wife, and neither issue, father, mother, brother, sister, nor the children nor grandchildren of a deceased brother or sister, the whole estate goes to the surviving husband or wife.

5. If the decedent leaves neither issue, husband, wife, father, mother, brother nor sister, the estate must go to the next of kin, in equal degree, excepting that, when there are two or more collateral kindred, in equal degree, but claiming through different ancestors, those who claim through the nearest ancestor must be preferred to those claiming through an ancestor more remote.

6 If the decedent leaves several children, or one child and the issue of one or more children, and any such surviving child dies under age and not having been married, all the estate that came to the deceased child by inheritance from said decedent descends in equal shares to the other children of the same parents and to the issue of such other children who are dead, by the right of representation.

7. If, at the death of such child, who dies under age, not having been married, all the other children of his parents are also dead, and any of them has left issue, the estate that came to such child by inheritance from his parent descends to the issue of all other children of the same parent; and if all the issue are in the same degree of kindred to the child, they share the estate equally, otherwise they take according to the right of representation;

8. If the deceased is a widow, or widower, and leaves no issue, and the estate, or any portion thereof, was common property of such decedent and his or her deceased spouse while said spouse was living, such property goes in equal shares to the children of said deceased spouse and to the descendants of said children by the right of representation, and if none, then one-half of such common property goes to the father and mother of such decedent in equal shares, or to the survivor of them if either be dead, or if both be dead, then in equal shares to the brothers and sisters of such decedent and to the descendants of any deceased brother or sister by the right of representation, and the other half goes to the father and mother of said deceased spouse in equal shares, or to the survivor of them if either be dead or if both be dead, then in equal shares to the brothers and sisters of said deceased spouse and to the descendants of any deceased brother or sister by the right of representation; if the estate, or any portion thereof, was the separate property of such deceased spouse, while living, and came to such decedent from such spouse by descent, devise, or bequest, such property goes in equal shares to the children of said spouse and to the descendants of any deceased child by the right of representation, and if none, then to the father and mother of such spouse, in equal shares, or to the survivor of them if either be dead, or if both be dead, then in equal shares to the brothers and sisters of said spouse and to the descendants of any deceased brother or sister by the right of representation;

9. If the decedent leaves no husband, wife or kindred, and there are no heirs to take his estate or any portion thereof, under subdivision 8 of the foregoing provisions the same escheats to the state for the support of the common schools.

HOMESTEAD, DESCENT ON DEATH OF SPOUSE—If the selection of the homestead was made by a married person from the community property, or from the separate property of the spouse making the selection, or joining therein, the land so selected, on the death of either of the spouses, vests in the survivor, subject to no other liability than such as exists, or has

WE REGARD ALL BUSINESS TRANSACTIONS
AS
STRICTLY CONFIDENTIAL.

been created, under the provisions of the title concerning homesteads; in other cases, upon the death of the person whose property was selected as a homestead, it shall go to the heirs or devisees, subject to the power of the superior court to assign the same after a limited period of time, to the family of the decedent; but in no case shall it, or the products, rents issues or profits thereof, be held liable for the debts of the owner, except as provided in the same title; and should the homestead be sold by the owner, the proceeds arising from such sale, to the extent of the value allowed for a homestead exemption, as provided in that title, shall be exempt to the owner of the homestead for a period of six months next following said sale.

COMMUNITY PROPERTY, DESCENT ON DEATH OF WIFE—Upon the death of the wife the entire community property, without administration, belongs to the surviving husband, except such portion thereof as may have been set apart to her by judicial decree, for her support and maintenance, which portion is subject to her testamentary disposition, and in the absence of such disposition, goes to her descendants, or heirs, exclusive of her husband.

COMMUNITY PROPERTY, DESCENT ON DEATH OF HUSBAND—Upon the death of the husband, one-half of the community property goes to the surviving wife, and the other half is subject to the testamentary disposition of the husband, and, in the absence of such disposition, goes to his descendants equally, if such descendants are in the same degree of kindred to the decedent; otherwise, according to the right of representation; and in the absence of both such disposition and such descendants, is subject to distribution in the same manner as the separate property of the husband. In case of the dissolution of the community by the death of the husband, the entire community property is equally subject to his debts, the family allowance, and the charges and expenses of administration.

INHERITANCE BY REPRESENTATION—Inheritance or succession "by the right of representation" takes place when the descendants of any deceased heir take the same share or right in the estate of another person that their parents would have taken if living. Posthumous children are considered as living at the death of their parents.

ALIENS MAY INHERIT, WHEN AND HOW—Resident aliens may take in all cases by succession as citizens; and no person capable of succeeding under the provisions of the statute is precluded from such succession by reason of the alienage of any relative, but no non-resident foreigner can take by succession unless he appears and claims such succession within five years after the death of the decedent to whom he claims succession.

DIRECT PRIMARIES.

The California direct primary law was enacted in 1909, was amended in 1911 and 1912, and a complete new law was passed in 1913. All the substantial provisions of a general election law are incorporated. Every even numbered year a general state primary is held upon the last Tuesday in August to nominate all state, national and local candidates for offices to be filled at the ensuing November general election. The act does not apply to nomination in municipalities or counties whose charters provide for such matter, nor to any district not formed for municipal purposes, nor to nomination of freeholders to frame charters, nor to cities of the sixth class, nor to school district officers. Each political party is entitled to participate in the primary as a party is entitled to a separate ticket, under the name of such party. Blank spaces must be left for each office so the voter can write in the name of a candidate whose name is not printed. A candidate may receive the nomination of more than one party. Candidates for judicial, school, county or township offices have their names printed

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Consistent With Sound Banking.

on all ballots, and also upon a separate ballot headed "non-partisan".

The act provides the number of signers by members of a party, necessary to print the name of a candidate on a ballot, ranging from one-half of 1 per cent to 2 per cent of the party vote, at the last general election, or of the entire vote if the papers be for candidates for judicial, school, county, or township offices. Candidates may appoint verification deputies to take the oaths of signers. The signatures are verified by the county clerk or register of voters, and, if the papers must be filed with the secretary of state, are sent to him by such officers after verification.

In presidential years a primary is held on the second Tuesday of May. Such local primaries as are held under the state law are held on the Tuesday three weeks before the local election. The candidate receiving the highest vote for the office is the nominee of his party for that office. If more than one position is to be filled for the same office then the highest to the extent of double the number to be chosen become the only nominees. For judicial, school, county or township offices, the highest upon all the ballots in the aggregate, become the nominees to the extent of those entitled to become nominees. New parties may nominate candidates and have their names printed by registering a certain per cent of voters under such a new party name, also by petition signed by three per cent of the entire vote of the state at the last preceding November election. State conventions, with power to frame platforms, and nominate Presidential electors, are provided for, to be composed of the party nominees at the primary for certain state offices, and all its senate and assembly nominees, and one delegate from each hold-over senatorial district. The act provides for filling vacancies in case of death, resignation, etc., of a nominee after the primary, for the expenses which a candidate may lawfully incur, and for a recount of the ballots in case of contest.

DIVORCE.

Marriage is dissolved only by the death of one of the parties, or by the judgment of a court of competent jurisdiction decreeing a divorce of the parties. The effect of a judgment decreeing a divorce is to restore the parties to the state of unmarried persons. A divorce must not be granted unless the plaintiff has been a resident of the state for one year, and of the county in which the action is brought three months next preceding the commencement of the action; provided, a cross-complainant in an action for divorce need not be or have been a resident of the state or county in which the action is brought or pending in order to entitle such cross-complainant to a divorce in said action; and provided, further, that in an action for divorce the cross-complainant must personally verify the cross-complaint. After a trial for divorce, if a divorce is granted, the court enters an interlocutory judgment, and after the entry of the interlucutory judgment neither party shall have the right to dismiss the action without the consent of the other. When one year has expired after the entry of said interlocutory judgment the court, on the motion of either party, or upon its own motion, may enter the final judgment. Though judgment of divorce is denied the court may in an action for divorce, provide for the maintenance by the husband of the wife and children of the marriage, or any of them. In case of desertion or failure to provide by the husband the wife may maintain an action for permanent support and maintenance of herself and children without divorce.

CAUSES FOR DIVORCE—Divorces may be granted for any of the following causes: Adultery, extreme cruelty, wilful desertion, wilful neglect, or habitual intemperence, conviction of felony. Wilful desertion, wilful neglect or habitual intemperance must continue for one year before either is a ground for divorce.

DIVORCES DENIED ON WHAT SHOWING—Divorces must be denied

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TO
COLLECTIONS.

upon showing connivance, collusion, condonation, recrimination or limitation and lapse of time. A divorce must be denied when the cause is adultery, and the action is not commenced within two years after commission of the act of adultery, or after its discovery by the injured party; or when the cause is conviction of felony, and the action is not commenced before the expiration of two years after a pardon, or the termination of the period of sentence. In all other cases where there is an unreasonable lapse of time before the commencement of the action.

EDUCATION.

The educational institutes of this state consist of the University of California, together with all its affiliated institutions, the state normal schools, the county free high school, the union high school and the common or district schools.

Authority relating to the supervision of schools and all matters pertaining thereto is vested principally in the state board of education, in the state superinteindent of public instruction, in the county superintendents and boards of trustees of the various school districts and city boards of education.

STATE BOARD OF EDUCATION—The state board of education consists of seven members, who shall be appointed by the governor, and shall hold office for a term of four years. Whenever a vacancy occurs it is filled by appointment by the governor for the balance of the term. No appointive member of the board shall hold any salaried educational position. The board shall select its own president, and the superintendent of public instruction shall be the secretary of the board, and shall act as its executive officer. The board shall, among other things, have the power to adopt rules and regulations for the government of the day and evening elementary schools, the day and evening secondary schools, the technical and vocational schools of the state and such other schools, excepting the University of California, as may receive, in whole or in part, financial support from the state; to appoint three assistant superintendents of public instruction, who shall not be subject to the provisions of any civil service law of the state; to prescribe, by general rule, the credentials upon which persons may be granted certificates to teach in the high schools of the state; to consider the cases of individual applicants who have taught successfully for a period of not less than twenty school months, but are not possessed of the credentials prescribed by the board under the provisions of the school law; to grant life diplomas of four grades, valid throughout in the state, as follows: (1) High school, authorizing the holder to teach in any primary or grammar high school; (2) grammar school, authorizing the holder to teach in any primary or grammar school; (3) kindergarten-primary, authorizing the holder to teach in the kindergarten class of any primary school; (4) special, authorizing the holder to teach in any school such special branches and in such grades as are named in the diploma; to issue diplomas upon certain other credentials, and to revoke or suspend the same; to compile, in whole or in part, and to manufacture such text books as are now in use; to compile and manufacture such additional text books or books as it may deem necessary or proper for use in the elementary schools; to purchase books, when necessary, and to do all things that may be necessary for the purpose of procuring a uniform series of text books for use in elementary day and evening schools of the state.

To fix the price of state text books, and to sell them, not only to public schools, but to private schools and individuals, and to provide for a school text book fund and its management.

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION—The state superintendent of public instruction is elected at the same time and place as

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OF
A SOLID, WELL EQUIPPED BANK.

other state officers, his term of office being 4 years. It is his duty to superintend the schools of the state, and, among other things, to apportion the state school fund to the several counties, and to furnish an abstract of such apportionment to the state controller, the state board of examiners, and to the county and city and county auditors, county and city and county treasurers, and to the county and city and county school boards of the several counties of the state; to draw his order on the controller in favor of each county, or city and county treasurer for school moneys apportioned to the county or city and county; to visit the several orphan asylums to which state appropriations are made, and examine into the course of instruction therein; to visit the schools in the different counties, and inquire into their condition; to make full and prescribed reports to the governor and state controller.

COUNTY SUPERINTENDENT—A county superintendent is a county official, and is elected by the qualified electors thereof at each gubernatorial election, but the legislature may authorize two or more counties to unite and elect one superintendent for the counties so uniting. His term of office is four years. It is his duty to superintend the schools of his county, and, among other things, to apportion the school moneys to each school district; on the order of the board of school trustees or board of education of any city or town having a board of education to draw his requisition upon the county auditor for all necessary expenses against the school fund of any district; to keep open to the inspection of the public a register of requisitions; to visit and examine each school in his county at least once in each year; to preside over teachers' institutes held in his county, and to secure the attendance thereat of lecturers competent to instruct in the art of teaching; to enforce the course of study, the use of state text-books, and the rules and regulations for the examination of teachers prescribed by the proper authority; to issue temporary certificates of equivalent grades to persons holding valid secondary or high school, elementary or grammar school, kindergarten, primary and special certificates granted by county boards of education of California, except in incorporated cities having boards of education; to pass upon and approve or reject all plans for high schools; to appoint trustees to fill all vacancies for the full term thereof, and when new districts are organized to appoint trustees for the same, who shall hold office until the first day of May next succeeding their appointment, and to preserve all reports of school officers and teachers, and deliver the same to his successor. He shall, in the month of July of each year, grade each school and keep a record thereof in a book kept in his office for this purpose, and no teacher holding a certificate below the grade of said school shall be employed to teach therein.

No school superintendent who receives an annual salary of $1,500 or more must follow the profession of teaching, or any other vocation that can conflict with his duties as superintendent, but those receiving less than $1,500 per annum may teach in the public schools of the state.

CITY SCHOOL DISTRICTS; GOVERNMENT—Every city or incorporated town, except cities of the sixth class, unless sub-divided by legislative authority, shall constitute a separate school district, which shall be governed by the board of education, or the board of school trustees of such city or incorporated town; but whenever a city or town shall be incorporated, except of the sixth class, the board of supervisors of the county may annex thereto, for school purposes only, the remainder or any part of the remainder of the district or districts from which such city or incorporated town was organized whenever a majority of the heads of families residing therein shall petition for such annexation, and may include more territory than the remainder of the district or districts from which the city or incorporated town was organized, whenever a petition for such purpose is presented to them, signed by a majority of the heads of families residing in such additional territory.

MONEY
DEPOSITED WITH US
IS BEYOND THE REACH OF HOUSEBREAKERS.

FORMATION OF NEW SCHOOL DISTRICTS; CHANGING BOUNDARIES; JOINT DISTRICTS—No new school district shall be formed, nor shall the boundaries of a school district be changed, except between the first day of October and the tenth day of February. Joint districts (that is districts lying partly in one county and partly in another), may be formed between the same dates. Minute provisions of procedure are prescribed for accomplishing each of these acts.

GOVERNMENT OF SCHOOL DISTRICT PARTLY WITHIN CITY—A school district, a portion of which is embraced within the limits of an incorporated city or town governed by a freeholders' charter, may be subject to, controlled and governed by the provisions of such charter relating to and providing for the management of public schools, if, upon an election submitting such question, the electors of the school district shall so decide.

ELECTION FOR SCHOOL TRUSTEES—An election for school trustees must be held in each school district on the first of April in each year, at the district school house, if there is one, and, if there is none, at the place to be designated by the board of trustees.

NUMBER OF SCHOOL TRUSTEES—The number of school trustees for any school district, except where city boards are otherwise authorized by law, shall be three. No person shall be deemed ineligible to the office of trustee on account of sex.

ELECTION IN NEW DISTRICTS—In new school districts the school trustees shall be elected on the first Friday of April subsequent to the formation of the district, to hold office for one, two and three years, respectively, from the first day of May next succeeding their election.

VACANCY—When a vacancy occurs the county superintendent of schools shall appoint a suitable person to fill such vacancy until the first day of May next succeeding the appointment, and a trustee shall be elected at the next April election, to hold office for the remainder of the term, except in the case of city boards, and where new districts are formed. One trustee shall be elected annually to hold office for three years from the first day of May next succeeding his election, or until his successor shall be elected or appointed and qualified.

TERM OF SCHOOL TRUSTEES—The term of office of school trustees is three years from the first day of May next succeeding their election.

BOARDS OF EDUCATION IN CITIES—Boards of education are elected in cities under the provisions of the laws governing such cities, and their powers and duties are prescribed in such laws.

COUNTY BOARDS; HOW COMPOSED—Except in any city and county there shall be a county board of education, which shall consist of the county superintendent of schools and four other members appointed by the board of supervisors of the county. A majority of the members appointed by the board of supervisors shall be experienced teachers, holding not lower than grammar school certificates, in full force and effect. The term of office is two years, and two are appointed each year. If the board of supervisors should refuse or neglect to appoint it is the duty of the county superintendent to appoint. Should a vacancy occur at any time it is the duty of the board of supervisors to fill the vacancy. The county board shall organize on the first day of July in each year by electing one of its members president of the board. A county superintendent is ex-officio secretary of the board. Three shall constitute a quorum; but no teacher's certificate shall be issued, renewed or revoked, nor shall any books or apparatus be adopted, except by an affirmative vote of at least three members of the board. On the call of any member the ayes and nays shall be taken upon any proposition, and the vote shall be recorded in the minutes of the board. The county board shall meet semi-annually at such time as it may determine. Special meetings may be called by the superintendent at any time, and upon the request of any three members in writing the superintendent shall call a special meeting.

WE ACCORD CAREFUL CONSIDERATION
TO
SMALL OR LARGE DEPOSITORS.

NUMBER OF YEARS INSTRUCTION IN ELEMENTARY SCHOOLS—The course of study for day and evening elementary schools of the state shall embrace eight years of instruction, and such courses must allot eight years of instruction in subjects required to be taught in such schools, and may allot not more than two years for day kindergarten instruction.

COURSES OF STUDY REQUIRED—Instruction must be given in the following branches in the several grades in which they may be required: Reading, writing, arithmetic, orthography, geography, nature study, with special reference to agriculture, language and grammar, with special reference to composition, history of the United States and civil government, physical culture, including the necessary elements of physiology and hygiene, with special reference to the injurious effects of tobacco and alcohol and narcotics on the human system, morals and manners, music, drawing and elementary bookkeeping, humane education, and when competent teachers thereof can be secured and there are sufficient funds in the district to pay their salaries, manual training and domestic science; provided, that instruction in elementary bookkeeping, humane education, elements of physiology and hygiene, music, drawing and nature study may be oral, and no textbooks on these subjects shall be required. Provided, further, that the county boards of education may, in districts having less than 100 census children, confine the pupils to the study of reading, writing, orthography, arithmetic, language, grammar, geography, history of the United States and civil governments, elements of physiology and hygiene, elementary bookkeeping until they have a practical knowledge of these subjects; provided, that no more than twenty recitations per week shall be required of pupils in secondary schools, and no pupil under the age of 15 years in any elementary school shall be required to do any home study. Provision is also made that the board of education in every city of the first and first and one-half class shall maintain therein at least one public school in which shall be taught, in connection with the above, the French, Spanish, Italian and German languages, or any of them.

TEACHERS—All teachers in the public schools must hold a certificate issued by competent authority, and must have attained the age of 18 years.

ELECTION REGISTRATION LAWS.

There is a new registration of voters, commencing on January 1 in each even numbered year. If a voter who registers does not move out of his precinct such registration is good for all elections (held thirty days after such registration), for two years from the beginning of such new registration, and for all general or special municipal elections until the April first following such two years. Citizens in order to register must have been residents of the state one year, of the county ninety days, and of the precinct thirty days prior to any election at which they seek to vote, and if naturalized must have been so naturalized ninety days before any such election. No native of China, idiot, insane person or person convicted of infamous crime or embezzlement, or misappropriation of public money, or who cannot read the constitution in the English language, or write his or her name can vote or register. The educational requirement does not apply to one who is prevented by physical disability, or who was 60 years of age, or who had the right to vote on November 6, 1894. A person registered in one county must procure the cancellation of such before he registers in another county. False registration is a felony, if intentional. Registration is open at the office of the county clerk or registrar of voters, during office hours, every day of the year, except Sundays and holidays. Out side and precinct registration is provided for. The form of affidavit of registration is found in sections 1196-1197 of the political code. Age need not be specified, but it must be stated that the person is over 21 years of age. Sex must be given,

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Upon Our Merits For
STRENGTH AND SAFETY.

and whether a miss or a mistress, if a female. Occupation, height, country or state of nativity, place of residence, and, in municipal corporations, street and number, or, if there be none, a designation of location which can be readily ascertained, whether the proprietor or head of the house, or the wife or husband of such proprietor. If less than a whole house is occupied, what floor and room thereof. If naturalized, the place of naturalization. If citizenship is by marriage, the date or year and place of such marriage, and the name of the husband through whom she became a citizen. That the person will be an elector of the county at the next succeeding election. The postoffice address and the facts required as to educational qualifications. The affidavit must be dated and signed and sworn to in duplicate. The precinct must be shown, but is entered by the registration officers. If one moves from the precinct registration must be transferred, or vote is lost. If an elector is absent from the county and cannot return in time to register provision is made for making his affidavit of registration where he is, and forwarding the same to his county. Provision is made for cancellation of registration in cases of death, removal, insanity, conviction of certain crimes, not voting for two years, or by the court in cases of illegal registration. A married woman who has changed her name since registration by marriage or divorce may register under her new name, but she may swear in her vote without such re-registration.

ESTATES OF DECEASED PERSONS AND PROBATE PROCEEDINGS; See Also Descent.

The superior courts have original jurisdiction in all matters of probate. Ordinarily the proceedings for the settlement of estates must be instituted in the county where the deceased resided at the time of his death, but there are exceptions to this rule. Every custodian of a will, within thirty days after receipt of information that the maker is dead, must deliver it to the superior court having jurisdiction of the estate, or to the executor named therein. Any executor, devisee or legatee named in any will, or any other person interested in the estate, may, at any time after the death of the testator, petition the court having jurisdiction to have the well proved, whether the same be in writing, in his possesion or not, or is lost or destroyed, or beyond the jurisdiction of the state, or a nuncupative will. The petition must show the jurisdictional facts: whether the person named as executor consents to act, or renounces his right to letters testamentary, the names, ages and residences of the heirs, legatees and devisees of the decedent, so far as known to the petitioner; the probable value and character of the property of the estate; the name of the person for whom letters testamentary are prayed. Any person interested may appear and contest the will, and if admitted to probate a petition to revoke the probate thereof may be made within one year after its admission. An olographic will may be proved in the same manner that other private writings are proved. Nuncupative wills may, at any time within six months after the testamentary words are spoken by the decedent, be admitted to probate. All wills, duly proved and allowed in any other of the United States, or in any foreign country or state, may be allowed and recorded in the superior court of any county in which the testator shall have left any estate, or shall have been a resident at the time of his death. When a will is admitted to probate, letters of administration, or of administration with the will annexed, are issued. If no person within one year after the probate of a will contest the same, or the validity thereof, the probate of the will is conclusive, saving to infants and persons of unsound mind a like period of one year after their respective disabilities are removed.

Where a person dies without leaving a will his estate is administered substantially as above set forth.

A BANK ACCOUNT IS A VALUABLE RECORD
OF
INCOME AND EXPENDITURES.

Administration of the estate of a person dying intestate must be granted to persons hereinafter mentioned, the relatives of the deceased being entitled to administer only when they are entitled to succeed to his personal estate, or some portion thereof, in the following order: (1) The surviving husband or wife, or some competent person whom he or she may request to have appointed; (2) the children; (3) the father and mother; (4) the brothers; (5) the sisters; (6) the grandchildren; (7) the next of kin entitled to share in the distribution of the estate; (8) the public administrator; (9) the creditors; (10) any person legally competent.

If the decedent was a member of a partnership at the time of his decease the surviving partner must in no case be appointed administrator of his estate. These provisions shall apply to the relatives of the previously deceased spouse of the decedent when entitled to succeed to some portion of the estate under the statute of succession. No person is competent or entitled to serve as administrator who is under the age of majority, not a bona fide resident of the state, convicted of an infamous crime, or adjudged by the court incompetent to execute the duties of the trust by reason of drunkenness, improvidence, or want of understanding or integrity. A married woman may be appointed administratrix. When an unmarried woman appointed adminitratrix marries her station is not thereby extinguished.

In all cases the estate must be appraised, and an inventory and appraisement thereof filed, and notice to creditors must be given. The law also makes provision for family allowance, and the setting aside of a homestead, whether declared during the lifetime of the deceased, and carving out of the estate a probate homestead, in case none is selected by the decedent in his or her lifetime. Where, upon the return of the inventory, it appears that the estate does not exceed $1,500 in value a summary procedure is provided.

Deposits not over $500. (See Banks and Banking).

FENCES.

PARTITION FENCES—Coterminus owners are mutually bound equally to maintain: (1) the boundaries and monuments between them; (2) the fences between them, unless one of them chooses to let his land lie without fencing; in which case, if he afterwards encloses it, he must refund to the other a just proportion of the value at that time of any division fence made by the latter.

OPENING OR DESTROYING FENCES—Every person who wilfully commits any trespass by wilfully opening, tearing down or otherwise destroying any fence on the enclosed land of another, or opening any gate, bar or fence of another, and wilfully leaving it open, without the permission of the owner, or maliciously tearing down, mutilating or destroying any sign, signboard or other notice forbidding shooting on private property, is guilty of a misdemeanor.

SPITE FENCES—Any fence, or other structure in the nature of a fence, unnecessarily exceeding ten feet in height, maliciously erected or maintained for the purpose of annoying the owner or occupants of adjoining property, shall be deemed a private nuisance, and the owner or occupant injured, either in his comfort or enjoyment of his estate, thereby may enforce against its continuance the remedies concerning private nuisances.

LAWFUL FENCES—A large number of special laws with regard to what constitute lawful fences in the various counties, too numerous to set forth in this book, were continued in force under the provisions of section 19 of the Political Code, in 1872, and they, together with all similar special laws passed before the adoption of the new constitution in 1879, were not affected by the provision against special legislation contained in that constitution. A fence which is good, strong, substantial, and built of stone,

WE RECEIVE
DEPOSITS
SUBJECT TO CHECK.

forming a perfect enclosure, and sufficient to turn stock, is a lawful fence, within the meaning of any of these statutes, although it is not specifically described therein.

FINDER OF PROPERTY.

DUTY OF FINDER—One who finds a thing lost is not bound to take charge of it, but if he does so he is thenceforward a depositary for the owner, with the rights and obligations of a depositary for hire. If the finder of a thing other than a domestic animal takes possession thereof, or if a person saves any such animal from drowning or starvation, he must, within a reasonable time, inform the owner thereof, if known, and make restitution to him, upon demand, without compensation, except a reasonable charge for saving and caring therefor; if the owner is not known to such finder, or saver, he must, within five days, file an affidavit with a justice of the peace of the county, whose office is nearest to the place of such finding or saving, particularly describing the property, and the time, place and circumstances under which it was found, or saved. Such justice must then summon three disinterested persons to appraise the property. They, or a majority of them, must make two lists of the valuation and description of the property, by them verified, and deliver one of such lists to the justice of the peace, to be kept by him on file in his office, and the other list must be delivered to such finder or saver, who must, within five days thereafter, cause it to be filed for record in the office of the county recorder of the county, who must record it in a book known as the "Estray and Lost Property Book." The finder of a thing may, in good faith, before giving it up, require reasonable proof of ownership from one claiming it. The finder of a thing is entitled to compensation for all expenses necessarily incurred by him in its preservation, and for any other service necessarily performed by him about it, and to a reasonable reward for keeping it. The finder of a thing may exonerate himself from liability at any time by placing it on storage with any responsible person of good character, at reasonable expense. The finder of a thing may sell it, if it be a thing which is commonly a subject of sale, when the owner cannot, with reasonable diligence, be found, or, being found, refuses, upon demand, to pay the lawful charges of the finder, when the thing is in danger of perishing or of losing the greater part of its value, or when the lawful charges of the finder amount to two-thirds of its value. A sale, under the provisions of the last section, must be made in the same manner as the sale of a thing pledged. If no owner appears within six months after such finding or saving, and offers reasonable proof of his ownership, and compensates, or in good faith offers to compensate the finder, or saver, for the expense necessarily incurred by him, then such property vests in such finder or saver, unless it is of greater value than $20. If of such greater value he must publish a copy of such verified list for three successive weeks in some newspaper of general circulation, published in the county, and if the owner does not, within one year after the completion of such publication, prove the property, and pay, or, in good faith, offer to pay all charges thereon, the title thereto vests in such finder or saver. If the finder or saver of property does not comply with the above provisions, or if, though he does so comply, he refuses to surrender the property to an owner who has made reasonable proof of ownership, and paid, or, in good faith, offered to pay, all the legal charges thereon, he is liable to the owner for double the value of the property, and the owner may exonerate himself from all liability arising out of such property by surrendering, or offering to surrender, it in satisfaction thereof. The above provisions have no application to things which have been intentionally abandoned by the owner thereof.

PUT YOUR MONEY
IN A BANK
AND PAY YOUR OBLIGATIONS BY CHECK.

FIRES.

Every person who wilfully and maliciously burns any property exceeding in value $50, or any structure, snowshed, vessel or boat, not a subject of arson, or any tent, or any stack of hay or grain or straw of any kind, or any pile of baled hay or straw, or any pile of potatoes or beans, vegetables, produce or fruit of any kind, whether sacked, boxed, crated or not, or any growing or standing grain, grass or tree, or any fence, railroad car, lumber, cordwood, railroad ties, telephone or telegraph poles or stakes, or any tule-land or peat-ground, of the value of $25 or over, not the property of such person, is punishable by imprisonment in the state prison for not less than one year nor more than ten years.

By another statute, most stringent provisions are enacted against setting fire to forests, woodland, brush, prairie-grass, grain, stubble, or other material being or growing on lands not one's own, without the permission of the owner of such land, or allowing fires, lawfully set, to escape beyond control, or building any fire, or making any use of machinery, under conditions dangerous to forestry.

FIXTURES; See Also Landlord and Tenant.

A thing is deemed to be affixed to the land when it is attached to it by roots, as in cases of trees, vines or shrubs; or imbedded in it, as in the case of walls; or permanently resting upon it, as in the case of buildings; or permanently attached to what is thus permanent, as by means of cement, plaster, nails, poles or screws.

Sluice-boxes, flumes, hose, pipes, railway tracks, cars, blacksmith-shops, mills, or other machinery or tools used in working or developing a mine, are to be deemed affixed to the mine.

When a person affixes his property to the land of another, without an agreement permitting him to remove it, the thing affixed, except as provided in the next paragraph, belongs to the owner of the land, unless he chooses to require the former to remove it.

A tenant may remove from demised premises any time during the continuance of his term, anything affixed thereto, for the purpose of trade, manufacture, ornament or domestic use, if the removal can be effected without injury to the premises, unless the thing has, by the manner in which it is affixed, become an integral part of the premises.

GAME.

STATE FISH AND GAME COMMISSIONS—The fish and game commission shall consist of three persons, appointed by the governor, to serve during the governor's pleasure.

FISH AND GAME DISTRICTS—The state has been divided into seven fish and game districts, consisting of the following counties:

First District: Siskiyou, Modoc, Lassen, Shasta, Trinity, Tehama;

Second District: Del Norte, Humboldt, Mendocino, Glenn, Colusa, Lake, Sonoma, Napa, Yolo, Sloano, Marin;

Third District: Plumas, Butte, Sierra, Yuba, Sutter, Nevada, Placer, El Dorado, Sacramento, San Joaquin, Amador, Calaveras, Tuolumne, Mariposa;

Fourth District: Madera, Tulare; that part of Stanislaus County east of the west bank of the San Joaquin River; that part of Merced County east of the west bank of the San Joaquin River; that part of Fresno County

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You Have a Record
WHICH CANNOT BE DISPUTED.

east of the west bank of the San Joaquin River, Fresno Slough, Fish Slough, Summit Lake and Tulare Lake; that part of Kings County east of the west bank of Kings River between Summit Lake and Tulare Lake; that part of Kings County east of the west bank of Tulare Lake and east of the west bank of Bull Slough; that part of Kern County east of the west bank of Bull Slough and the west and south bank of Buena Vista Lake to the southeast corner of that lake; that part of Kern County on the north side of a line from this point to the southeast corner of Sec. 8, T. 10 N. R. 19 W., San Bernardino B. & M., at a point where the county road cuts said section corner, such a point being on the north boundary of the Rancho Castac; that part of Kern County on the north side of a line from this point, following the northern boundary of the Rancho Castac to where this boundary joins the westerly boundary of Fort Tejon Rancho; that part of Kern County lying northerly and westerly of the west and north boundary of the Fort Tejon Rancho to where the main line of the S. P. R. R. intersects said rancho boundary; that part of Kern County on the east side of the main line of the S. P. R. R. from this point to where the said R. R. crosses the south line of Kern County;

Fifth District: Contra Costa, Alameda, San Francisco, San Mateo, Santa Clara, Santa Cruz, San Benito, Monterey, San Luis Obispo, Santa Barbara, and those parts of Stanislaus, Merced, Fresno, Kings and Kern Counties not included in fish and game district No. 4.

Sixth District: Ventura, Los Angeles, Orange, San Diego, Imperial, Riverside, San Bernardino;

Seventh District: Inyo, Mono, Alpine.

CERTAIN TIDEWATER LIMITS—Eel River, County concrete bridge below Fortuna; Klamath River, a point on the river north of the residence of John McGarvey; Smith River at Higgins Ferry.

ASBTRACT OF LICENSE LAWS—Hunters' licenses (July 1 to June 30). Obtain of county clerks or fish and game commission or deputies. Citizens, resident of California, $1 per year; citizens, non-resident of California, $10 per year; aliens, $25 per year.

Game fishing licenses. (Jan. 1 to Dec. 31). Obtain of county clerks or fish and game commission, or deputies. Citizens residents of California, over eighteen years, $1 per year; citizens, non-residents of California, over eighteen years, $2 per year; aliens over eighteen years, $3 per year. All persons under eighteen years exempt. The game fish for which these licenses are required are tuna, yellowtail, jewfish, black sea bass, albicore, barracuda, bonita, black bass, California whiting, corbina surf-fish, yellowfin, or spot-fin croaker, salmon, steelhead or other trout, charr, whitefish, striped and black bass, for sport.

Market fishing licenses. (April 1 to March 1). Obtain of fish and game commission or deputies. All market fishermen, $10 per year.

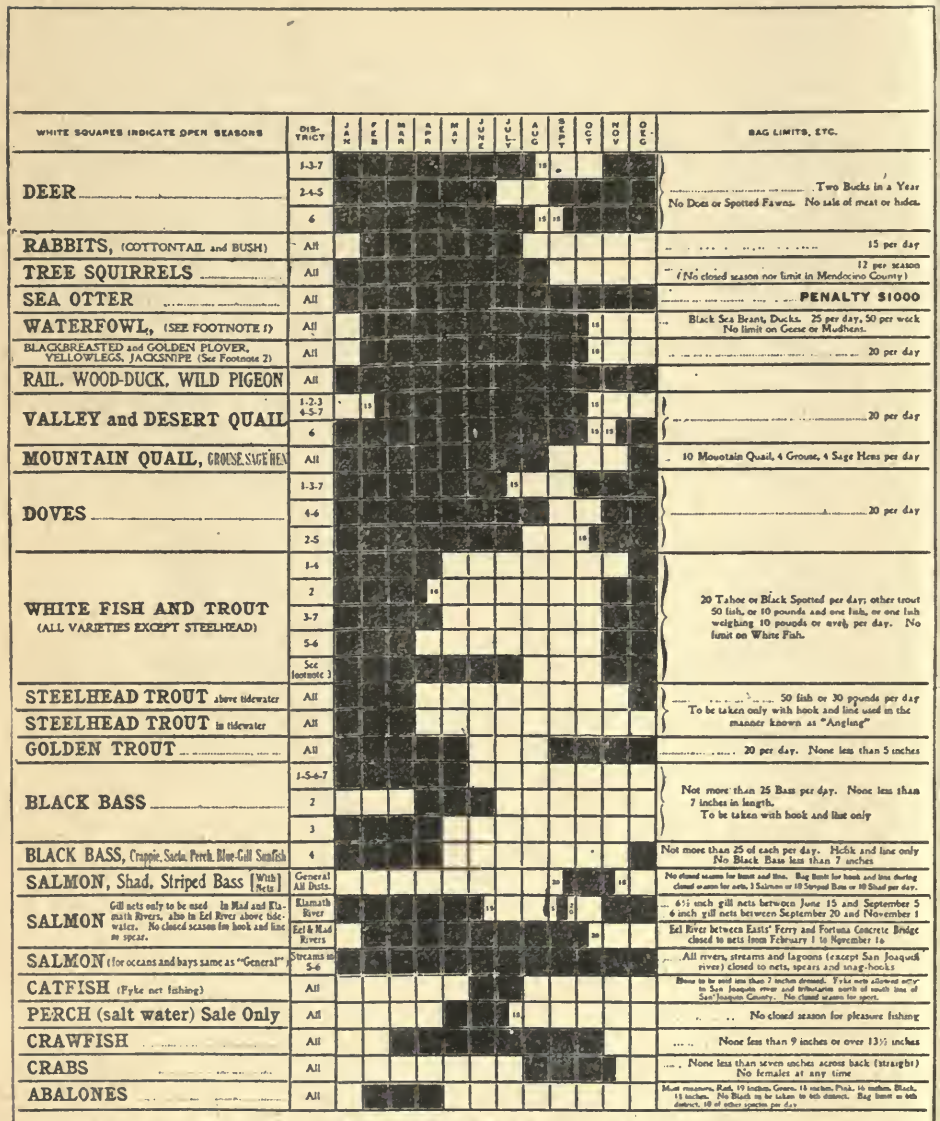
Wholesale fish and game dealers' licenses. (July 1 to June 30). Obtain of fish and game commission. Citizens and aliens with first papers, $5 per year; aliens $20.

Game rearing licenses. (Expire December 31 each year.) Obtain of fish and game commission. All persons, $25 per year.

Fish rearing licenses. Licenses valid for 25 years. Obtain of fish and game commission. All persons $5.

OPEN AND CLOSED SEASON AND BAG LIMITS OF FISH AND GAME—The code for open and closed season and bag limits of fish and game in the various districts would make a book more than half the size of this one, but the following tabulation will be found to give an approximately correct statement of the whole subject:

THE BEST
BUSINESS MEN DEPOSIT THEIR MONEY
IN A BANK.



1. Includes Ducks, Brant, Geese and Mudhens. 2. All other shore birds are protected at all times.
3. It is unlawful to take fish from any lake within 300 feet of the mouth of any stream; or in Lake Tahoe within 2500 feet of the mouth of Blackwood or Taylor creeks or within 500 feet of the mouth of any other stream flowing into said lake; or from any stream flowing into Lake Tahoe two miles from its mouth towards its source, between November first and August first.

WE TRY TO PLEASE OUR CUSTOMERS

AND CAN PLEASE YOU.

Note. The decision of the district court of appeals for the second district In re Mascolo, decided July 3, 1914, holding the act of 1913, amending the game districts, unconstitutional, makes the following changes in the above:

Humboldt and Del Norte Co.: Transferred from District 2 to 1.
Changing deer season from July 1-Sept. 1 to Aug. 15-Nov. 1.
Dove season from Aug. 1-Oct. 15 to Jul. 15-Oct. 1.
Black bass season from July. 1-Apr. 1 to June 1-Jan. 1.

San Joaquin: Transferred from District 3 to 4.
Changing deer season from Aug. 15-Nov. 1 to July 1-Sept. 1.
Dove season from July 15-Oct. 1 to Sept. 1-Nov. 1.
Black bass season from May 1-Jan. 1 to May 1-Dec. 1.

Santa Barbara: Transferred from District 5 to 6.
Changing deer season from July 1-Sept. 1 to Aug. 15-Sept. 15.
Valley and Desert Quail season from Oct. 15-Feb. 15 to Oct. 15-Nov. 15.
Dove season from Aug. 1-Oct. 15 to Sept. 1-Nov. 1.
Abalones season same but no black to be taken and trawl or paranzella nets cannot be used. Diving for abalones prohibited. Not over 10 per day of any other species to be taken.

Alpine-Mono: Transferred from District 7 to 3.
Changing black bass season from July 1-Jan. 1 to May 1-Jan. 1.

The western parts of Stanislaus, Merced, Fresno, Kings and Kern: Transferred from District 5 to 4.
Changing doves season from Aug. 1-Oct. 15 to Sept. 1-Nov. 1.
Black bass season from June 1-Jan. 1 to May 1-Dec. 1.

Inyo: Transferred from District 7 to 3.
Changing deer season from Aug. 15-Nov. 1 to Aug. 15-Sept. 15.
Valley and desert quail from Oct. 15-Feb. 15 to Oct. 15-Nov. 15.
Dove season from July 15-Oct. 1 to Sept. 1-Nov. 1.
Trout and white fish from May 1-Nov. 1 to Apr. 1-Nov. 1.)

UNLAWFUL ACTS—The following acts are always unlawful:

To hunt birds and animals without first having procured a hunting license.

To take tuna, yellow-tail, jewfish, black sea bass, abicore, barracuda, bonita, rock bass, California whiting, corbina, surf-fish, yellow-fin, or spot-fin croaker, salmon, steelhead or other trout, charr, white-fish, striped and black bass for sport without first having procured a sporting angling license. (In effect January 1, 1914.)

To refuse to show any game fish in possession upon the demand of any duly authorized officer.

To make a false statement on the application blank for an angling license.

To fish for profit for any fish without first having procured a special market fishing license.

To sell fish, wild ducks, wild geese or rabbits by wholesale without first having procured a license.

To buy, sell, offer for sale, barter or trade any game, except hare, rabbits, wild ducks and wild geese. (Domesticated game may be sold under restrictions.)

To fail to show any hunting, fishing or wholesale dealers' license upon demand of any duly authorized officer.

To take game or fish from one district into another when the season is not open in both districts.

To ship striped bass or trout or game out of the state.

To shoot resident game between one-half hour after sunset and one-half hour before sunrise, or to shoot migratory game between sunset and sunrise.

To ship game or trout in concealed packages or without a tag bearing

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the name and address, exact contents of the package and name and address of shipper.

To take or kill or have in possession does, fawns, antelope and mountain sheep, beaver, or sea-otter. To kill an elk is a felony punishable by two years' imprisonment; killing a sea-otter punishable by $1,000 fine.

To have in possession doe or fawn skins, or any deer skins from which the evidence of sex has been removed.

To use more than one dog to the person in hunting deer.

To use any animal other than a dog as a blind to approach any wild duck or water fowl, except geese.

To shoot at any duck from a power boat in motion.

To take or kill any wild pheasant, swan, bobwhite quail, imported quail, partridge or wild turkey.

To net, trap or hold any protected game or birds of any kind or their nests or eggs, without having procured written authority from the fish and game commission.

To take or kill non-game birds, except blue-jay, butcher bird, English sparrow, sharp-shinned hawk, Cooper's hawk, duck hawk, great horned owl, or California linnet.

To hunt any wild game upon the Pinnacles and Cleveland Game Reservations, except predatory animals, and then only with a written permit from the fish and game commission.

To take fish in any way within 50 feet of a fishway or by any means except with hook and line within 300 feet of one.

To fish for trout between one hour after sunset and one hour before sunrise.

To take any black bass or trout other than with hook and line and in the manner commonly known as angling.

To buy, sell or offer for sale wild trout under 12 inches in length, or to import into the state domestically reared trout under one pound in weight, or to sell steelhead trout less than 12 inches in length or one pound in weight.

To sell Quinnat salmon of less than 5 pounds in weight.

To fish for salmon, shad or striped bass with nets on Saturday and Sunday.

To take salmon, except with hook and line, within two miles of a spawn-taking station, or a state or U. S. hatchery.

To take salmon, shad, or striped bass with any net the cork line of which is below the surface of the water.

To take salmon, shad or striped bass with nets less than 6½ inch, or more than 9½ inch, mesh. No maximum size in Klamath, Mad, or Eel rivers.

To take, buy, sell or have in possession at any time, striped bass less than 3 pounds in weight.

(It will be lawful to use a 5½ inch mess net for taking striped bass and shad above the Vallejo Light until July 1st, 1914, after which date nets must be 6½ inch mesh. Striped bass may be lawfully taken with a five-inch mesh net in San Francisco and San Pablo bays.)

To take salmon in Mad or Eel rivers above tidewater, or in the Klamath River, with any other than a gill net.

To take any fish in Eel River with a net above East's ferry.

To take any fish in Mad River with a net above Carson's bridge.

To use nets in Cache slough, Napa and Mokelumne rivers, Bolinas bay, False bay, Lake Tahoe, Lake Merritt, Monterey and Santa Cruz reservations (with exceptions) and within three miles of Santa Catalina island.

To use any paranzella or trawl net in Monterey bay or in district No. 6.

To use 2- or 3-mesh trammel nets, except in Monterey bay and in the Pacific Ocean, outside of the one-mile limit.

BANK DRAFTS
ARE BETTER AND CHEAPER THAN EXPRESS OR
POST OFFICE MONEY ORDERS.

To use any 2- or 3-mesh trammel net in the Bay of Monterey of less than 7½-inch mesh, or in the ocean of less than 9-inch mesh.

To allow any 2- or 3-mesh trammel net to remain in a fixed or set condition for a period of more than six hours from the time of casting.

To bring to shore any crabs or crawfish in such condition that the size cannot be taken, or to sell any crab or crawfish meat not in the shell.

To pickle, can or preserve in any way crab or crawfish taken in the waters of California.

To export dried or fresh abalone or abalone in cans of more than one pint. Articles made from shells excepted.

To take abalones in any district by means of spears.

To take abalones for other than food purposes or to bring any abalones ashore unless they are alive and in the shell.

To use diving apparatus, or to take any black abalones, or to take more than 10 abalones of other species in one day in District No. 6.

To take or have in possession Pismo Clams less than 13 inches in the longest circumference or to take more than 200 in one day.

To use explosives in taking fish or to cause the pollution of any stream.

To use any set net, Chinese sturgeon lines, set lines or any fixed contrivances, except fyke nets without wings (used solely for the purpose of taking cat-fish and only in the San Joaquin River between its mouth and the south boundary of San Joaquin County) for catching any fish or shell fish.

To fish through the ice for any fish.

To take yellow-fin or spot-fin croaker or any California whiting, also known as surf-fish, except with hook and line.

To have in possession any dried California shrimp or shrimp shells.

To take by means other than by hook and line or to sell Sacramento perch, crappie, blue-gill or green sun-fish in District No. 3 at any time.

To kill or have in possession any sturgeon under 25 pounds in weight.

To buy, sell, or offer for sale, or ship any salt water perch between the first day of May and the 15th day of July.

To catch the young of any fish without at once returning them alive in the water, or to catch fish, except with hook and line, in any stream upon which a fish hatchery is maintained.

SHIPMENT LIMIT OF CERTAIN GAME—Every common carrier which receives for shipment from, or which ships or transports for, any one person, during any one calendar day, more than 25 wild ducks or black sea brant, or more than 20 quail, snipe, curlew, ibis, plover, rail, or other shore birds, or more than 20 doves, is guilty of a misdemeanor.

COUNTY FISH AND GAME WARDEN—The board of supervisors of each county may, in the discretion of the board, at the first meeting thereof, held in January of each odd numbered year, appoint a fish and game warden of the county to serve for two years, whose duty it shall be to enforce the state laws, and all county and municipal ordinances, relating to the protection of fish and game, and he shall be vested with all the powers of a peace officer to make arrests for the violation of such laws and ordinances.

GUARDIAN AND WARD.

A guardian is a person appointed to take care of the person or property of another. The person over whom, or over whose property, a guardian is appointed, is called the ward. Guardians are either general or special. A general guardian is a guardian of the person or of all of the property of the ward within this state, or of both. Every other is a special guardian. A guardian of the person or estate, or of both, of a child born, or likely to be born, may be appointed by will or by deed, to take effect upon the death of the parent appointing; if the child be legitimate, by the

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"LAWS AND FACTS CONCERNING BANKS AND BANKING"
ON FOURTH PAGE OF READING MATTER.

father, with the written consent of the mother; or by either parent, if the other be dead, or incapable of consent; if the child be illegitimate, by the mother. In awarding the custody of a minor, or in appointing a general guardian, the court or officer is to be guided by the following circumstances: By what appears to be for the best interest of the child in respect to its temporal and its mental and moral welfare; and if the child is of a sufficient age to form an intelligent preference, the court may consider that preference in determining the question; as between parents adversely claiming the custody or guardianship, neither parent is entitled to it as of right; but other things being equal, if the child is of tender years, it shall be given to the mother; if it is of an age to require education, preparation for labor and business, then to the father; of two persons equally entitled to the custody in other respects custody is to be given: (1) to a parent; (2) to one who was engaged by the wishes of the deceased parent; (3) to one who already stands in the position of trustee of a fund to be applied to the child's support; (4) to a relative.

Any parent who knowingly or wilfully abandons or, having ability to do so, fails to maintain his minor child, under the age of 14 years, forfeits the guardianship of such child, and any parent or guardian who knowingly permits his child or ward to remain for the space of one year in any orphan asylum of this state where any such child is supported by charity, and who, during such period, fails to give notice in writing to the managers or officers of such asylum that he is such parent or guardian, abandons and forever forfeits all right to the guardianship, care, custody and control of such child, and the officers and mangers of any orphan asylum having any such abandoned child in its care, have the preferred right to the guardianship of such child. The relationship of guardian and ward is confidential. In the handling and disposition of the person or property committed to him, a guardian may be regulated and controlled by the court. On the death of one of two or more joint guardians the power continues to the survivor until a further appointment is made by the court. After a ward has come to his majority he may settle accounts with his guardian and give him a release, which is valid if obtained fairly and without undue influence. A guardian appointed by a court is not entitled to his discharge until one year after the ward's majority.

HIGHWAYS.

In all counties of this state public highways are roads, streets, alleys, lanes, courts, places, trails and bridges laid out or erected as such by the public, or, if laid out or erected by others, dedicated or abandoned to the public, or made such in actions for partition of real property. All public highways, once established, shall continue to be public highways until abandoned by order of the board of supervisors of the county in which they are situated, or by operation of law, or by judgment of a court of competent jurisdiction.

WIDTH OF HIGHWAYS—The width of all public highways, except bridges, alleys, lanes and trails, shall be at least 40 feet. The width of all private highways and by-roads, except bridges, shall be at least 20 feet; but these provisions shall not be construed so as to increase or diminish the width of either kind of highways already established or used as such.

VACATION OF HIGHWAYS—A road laid out, worked and used, as provided in the statute concerning highways, shall not be vacated or cease to be a highway until so ordered by the board of supervisors of the county in which said road may be located; and no route of travel used by any one or more persons over another's land shall hereafter become a public road or byway by use, or until so declared by the board of supervisors, or by dedication by the owner of the land affected.

WE REGARD ALL BUSINESS TRANSACTIONS
AS
STRICTLY CONFIDENTIAL.

PUBLIC ACQUIRES ONLY EASEMENTS—By taking or accepting land for a highway the public acquires only the right of way, and the incidents necessary to enjoying and maintaining the same.

WHO MAY APPLY TO ALTER, DISCONTINUE OR LAY OUT—Any ten freeholders who will be accommodated by the proposed road, two of whom must be residents of the road district wherein any part of the proposed road is situated, and who are taxable therein for road purposes, may petition, in writing, the board of supervisors, to alter or discontinue any road, or to lay out a new road therein; but when a road is petitioned for upon the dividing line between two counties, the same course shall be pursued as in other cases, except that a copy of the petition shall be presented to the board of supervisors of each county, who shall appoint viewers to act jointly and report to their respective boards the action of such viewers, but all such roads shall be at least 40 feet wide.

BRIDGES—All public bridges, not otherwise specially provided for, are maintained by the road district in which they are situated, the districts which they unite, and the county at large, in the same manner as highways, and under the management and control of the road overseer and the board of supervisors, the expense of constructing, maintaining and repairing the same being primarily payable out of the road fund of the district in the hands of the county treasurer, and from road taxes.

REMOVAL OF ENCROACHMENTS—If any highway laid out or erected is encroached upon by fences, buildings or otherwise, the road overseer of the district may orally or in writing require the encroachment to be removed from the highway. Proper notice to remove encroachments must in all cases be given. If the encroachment is not removed, or commenced to be removed, and diligently prosecuted, prior to the expiration of ten days from service or posting of notice, the one who caused, owns or controls the encroachment forfeits $10 for each day the same continues unremoved, and action will lie to collect the fine, and to abate the nuisance.

HIRING; See Also Landlord and Tenant.

DEFINITION—Hiring is a contract by which one gives to another the temporary possession and use of property, other than money, for reward, and the latter agrees to return the same to the former at a future time. The products of a thing hired, during the hiring, belong to the hirer. An agreement to let upon hire binds the letter to secure to the hirer the quiet possession of the thing hired during the term of the hiring, against all persons lawfully claiming the same. The hirer of a thing must use ordinary care for its preservation in safety and in good condition, and must repair all deterioration from injuries thereto caused by his want of ordinary care. And when the thing is let for a particular purpose, the hirer must not use it for any other purpose, and if he does he is liable to the letter for all damages resulting from said use, or the letter may treat the contract as thereby rescinded.

REAL PROPERTY, MAKING DWELLING HOUSES FIT—The lessor of a building intended for the occupation of human beings must, in the absence of an agreement to the contrary, put it into condition fit for such occupation, and repair all subsequent dilapidations thereof which render it untenantable, except such as are occasioned by the want of ordinary care of the lessee.

ONE MONTH'S REPAIRS BY LESSEE—If the lessor neglects to repair dilapidations, after reasonable notice to him, the lessee may repair the same himself, where the cost of such repair does not require an expenditure greater than one month's rent of the premises, and deduct the expenses of such repairs from the rent, or the lessee may vacate the premises, in which case he shall be discharged from further payment of rent, or performance of other conditions.

WE LOAN MONEY
On the Most Favorable Terms
Consistent With Sound Banking.

TERM OF HIRING WHEN NO LIMIT FIXED—A hiring of real property other than lodgings and dwelling houses, in places where there is no usage on the subject, is presumed to be for one year from its commencement, unless otherwise expressed in the hiring. A hiring of lodgings or a dwelling house for an unspecified term is presumed to have been made for such length of time as the parties adopt for the estimation of the rent. In the absence of any agreement respecting the length of time, or the rent, the hiring is presumed to be monthly.

RENEWAL OF LEASE BY LESSEES HOLDING OVER—If a lessee of real property remains in possession thereof after the expiration of the hiring, and the lessor accepts rent from him, the parties are presumed to have renewed the hiring on the same terms and for the same time, not exceeding one month, when the rent is payable monthly, nor in any case one year.

RENT, WHEN PAYABLE—When there is no usage or contract to the contrary, rents are payable at the termination of the holding, when it does not exceed one year.

LETTING PARTS OF ROOMS FORBIDDEN—One who hires part of a room for a dwelling is entitled to the whole of the room, notwithstanding any agreement to the contrary; and if a landlord lets a room as a dwelling for more than one family, the person to whom he first lets any part of it is entitled to the possession of the whole room for the term agreed upon, and every tenant in the building under the same landlord is relieved from all obligations to pay rent to him while such double letting of any room continues.

HOLIDAYS.

Holidays are every Sunday, the 1st of January, 12th of February to be known as "Lincoln Day", 22nd of February, 30th of May, 4th of July, 9th of September, first Monday in September, 12th of October, to be known as "Columbus Day", 25th of December, every day on which an election is held throughout the state, and every day appointed by the President of the United States or by the governor of the state for a public fasting, thanksgiving or holiday.

If the 1st of January, 12th of February, 22nd of February, 30th of May, 4th of July, 9th of September, 12th of October, or 25th of December, falls upon a Sunday, the following Monday is a holiday.

Every Saturday from 12:00 o'clock noon until 12:00 o'clock midnight, as regards the transaction of business in public offices of this state, and also any political sub-division thereof, is a holiday, where laws, ordinances or charters provide that public offices shall be closed on holidays; provided, this shall not be construed to prevent or invalidate the issuance, filing, service, execution or recording of any legal process or written instrument whatever on such Saturday afternoons; and provided, further, that public schools of this state shall close on Saturday, Sunday, the 1st of January, the 30th of May, the 4th of July, the 25th of December, and on every day appointed by the President of the United States or the governor of this state for a public fast, thanksgiving or holiday. Said public schools shall continue in session on all other legal holidays, and shall hold proper exercises commemorating the day. Boards of school trustees, and city boards of education, shall have power to declare a holiday in the public schools under their jurisdiction when good reason exists therefor.

HOMESTEADS.

The homestead consists of the dwelling house, in which the claimant resides, and the land on which the same is situated. If the claimant be married, the homestead may be selected from the community property, or

WE GIVE PROMPT ATTENTION
TO
COLLECTIONS.

the separate property of the husband, or, with the consent of the wife, from her separate property. When the claimant is not married, but is the head of a family, the homestead may be selected from any of his or her property. The homestead cannot be selected from the separate property of the wife without her consent, shown by her making, or joining in making, the declaration of homestead. The homestead is exempt from execution or forced sale, except that it is still liable for judgment, or other liens upon it, prior to the time of its selection. The homestead of a married person cannot be conveyed or encumbered unless the instrument by which it is conveyed, or encumbered, is executed and acknowledged by both husband and wife. It can be abandoned only by a declaration of abandonment or grant thereof, executed and acknowledged by the husband and wife, if the claimant is married, or by the claimant, if unmarried. Such homestead must be selected and claimed of not exceeding $5,000 in value, by any head of a family, or of not exceeding $1,000 in value by any other person. A judgment creditor may have the value of the homestead appraised, and if its value is found to exceed those mentioned, a part of it above the limit fixed may be sold, if it is subject to division, and if it is not subject to division, the same may be sold under execution, but at such sale no bid must be received unless it exceeds the amount of the homestead exemption, and if the sale is made, the proceeds thereof to the amount of the homestead exemption must be paid to the claimant, and the balance applied to the satisfaction of the execution, and any money so paid to the claimant is entitled, for the period of six months thereafter, to the same protection against legal process, and the voluntary disposition of the husband, which the law gives to the homestead.

A homestead must be selected by the husband, or other head of a family, or by the wife, in case the husband has made no such selection, by execution, acknowledgement, and filing for record a declaration showing: (1) That the person making it is the head of a family, and, if the claimant is married, the name of the spouse; or, when the declaration is made by the wife, showing that her husband has not made such declaration, and that she therefore makes the declaration for their joint benefit; (2) a statement that the person making it is residing on the premises, and claims them as a homestead; (3) a description of the premises; (4) an estimate of their actual cash value. The declaration must be recorded in the office of the county recorder of the county in which the land is situated, and from and after the time the declaration is filed for record, the premises therein described constitute a homestead.

HUSBAND AND WIFE.

Husband and wife contract towards each other obligations of mutual respect, fidelity and support. The husband is the head of the family. He may choose any reasonable place or mode of living, and the wife must conform thereto. Neither husband nor wife has any interest in the property of the other, but neither can be excluded from the other's dwelling. Either husband or wife may enter into any engagement or transaction with each other, or with any other person, respecting property which either might if unmarried; subject, in transactions between themselves, to the general rules which control the actions of persons occupying confidential relations with each other. A husband and wife cannot, by any contract with each other, alter their legal relations, except as to property, and except that they may agree, in writing, to an immediate separation, and may make provision for the support of either of them, and of their children during such separation. The mutual consent of the parties is a sufficient consideration for such an agreement. They may hold property as joint tenants, tenants in common, or as community property. The wife

WE EXTEND THE ACCOMMODATIONS
OF
A SOLID, WELL EQUIPPED BANK.

may make out, acknowledge, and record, in the office of the recorder of the county in which the parties reside, a full and complete inventory of her separate personal property, and such filing is notice and prima facie evidence of the title of the wife. The earnings of the wife are not liable for the debts of the husband. The earnings and accumulations of the wife, and of her minor children living with her, in her custody, while she is living separate from her husband, are the separate property of the wife. The separate property of the husband is not liable for debts of the wife contracted before the marriage. If the husband neglect to make adequate provision for the support of his wife, except when abandoned by her, any other person may, in good faith, supply her with the articles necessary for her support, and recover the reasonable value thereof from the husband, but when abandoned by her, he is not liable for her support, until she offers to return, nor is he liable for her support when she is living apart from him by agreement, unless such support is stipulated in the agreement. The wife must support the husband when he has not deserted her, out of her separate property, when he has no separate property, and there is no community property, and he is unable, from infirmity, to support himself. Marriage settlements, however, may be made between husband and wife, and must be executed and recorded in the same manner as deeds, and a minor capable of contracting marriage, may make a valid marriage settlement.

CURTESY AND DOWER NOT ALLOWED—No estate is allowed the husband as tenant by curtesy, upon the death of his wife, nor is any estate in dower alloted to the wife upon the death of her husband.

INTEREST.

Interest is the compensation allowed by law, or fixed by parties for the use or forbearance or detention of money.

LEGAL INTEREST—Unless there is an express contract in writing, fixing a different rate, interest is payable on all moneys at the rate of 7% per annum, after they become due, on any instrument of writing, except a judgment, and on moneys lent, or due on any settlement of account, from the day on which the balance is ascertained, and on moneys received to the use of another, and detained from him. In the computation of interest for a period less than a year, 360 days are deemed to constitute a year.

PARTIES MAY AGREE ON ANY RATE—Parties may agree in writing for the payment of any rate of interest, and it shall be allowed, according to the terms of the agreement, until the entry of judgment.

INTEREST BECOMES PART OF PRINCIPAL WHEN—The parties may, in any contract in writing whereby any debt is secured to be paid, agree that if the interest on such debt is not punctually paid, it shall become a part of the principal, and thereafter bear the same rate of interest as the principal debt.

INTEREST ON JUDGMENT—Interest is payable on judgments recovered in the courts of this state, at the rate of 7% per annum, and no greater rate, but such interest must not be compounded in any manner or form.

JURY AND JURORS.

JURY DEFINED—A jury is a body of men temporarily selected from the citizens of a particular district, and invested with power to present or indict a person for a public offense, or to try a question of fact.

DIFFERENT KINDS OF JURIES—Juries are of three kinds: Grand Jury; Trial Jury; Juries of Inquest.

MONEY
DEPOSITED WITH US
IS BEYOND THE REACH OF HOUSEBREAKERS.

GRAND JURY DEFINED—A grand jury is a body of men, nineteen in number, returned in pursuance of law from the citizens of the county, or city and county, before a court of competent jurisdiction, and sworn to inquire of public offenses committed or triable within the county, or city and county.

TRIAL JURY DEFINED—A trial jury is a body of men returned from the citizens of a particular district before a court or officer of competent jurisdiction, and sworn to try and determine, by verdict, a question of fact.

NUMBER OF TRIAL JURY—A trial jury shall consist of 12 men; but in civil actions, and cases of misdemeanor, it may consist of 12, or any number less than 12, upon which the parties may agree in open court.

JURY OF INQUEST DEFINED—A jury of inquest is a body of men summoned from the citizens of a particular district before a sheriff, coronor, or other ministerial officer, to inquire of particular facts.

WHO COMPETENT TO ACT AS JUROR—A person is competent to act as juror if he be: (1) A citizen of the United States, of the age of 21 years, who shall have been a resident of the state one year, and of the county, or city and county, 90 days before being selected and returned; (2) In possession of his natural faculties, and of ordinary intelligence, and not decrepit; (3) possessed of sufficient knowledge of the English language; (4) assessed on the last assessment-roll of the county, or city and county, on property belonging to him.

WHO NOT COMPETENT TO ACT AS JUROR—A person is not competent to act as juror: (1) who does not possess the qualifications above described; (2) who has been convicted of malfeasance in office, or any felony, or other high crime; or (3) who has been discharged as a juror by any court of record in this state within a year, or who has been drawn as a grand juror in any such county, and served as such within a year and been discharged; (4) a person who is serving as a grand juror in any court of record in this state is not competent to act as a trial juror in any such court, and a person who is serving as a trial juror in any court of this state is not competent to act as a grand juror in any such court.

WHO MAY BE EXCUSED—A juror shall not be excused by a court for slight or trivial cause, or for hardship or inconvenience to his business, but only when material injury or destruction of his property, or of property entrusted to him, is threatened, or when his own health, or the sickness or death of a member of his family requires his absence.

EXEMPTIONS FROM JURY DUTY—An exemption from service on a jury is not a cause of challenge, but the privilege of the person exempted. A person is exempt from liability to act as a juror if he be:

1. A judicial, civil or military officer of the United States, or of this state;
2. A person holding a county, city and county, city, town or township office;
3. An attorney at law, or the clerk, secretary or stenographer of an attorney at law;
4. A minister of the gospel, or priest of any denomination following his profession;
5. A teacher in a university, college, academy or school;
6. A practicing physician or druggist actually engaged in the business of dispensing medicines;
7. An officer, keeper or attendant of an almshouse, hospital, asylum, or other charitable institution;
8. Engaged in the performance of duty as an officer or attendant of the state prison or of a county jail;
9. Employed on board of a vessel navigating in the waters of this state;

WE ACCORD CAREFUL CONSIDERATION
TO
SMALL OR LARGE DEPOSITORS.

10. An express agent, mail-carrier, or a superintendent employee or operator of a telegraph or telephone company, doing a general telegraph or telephone business in this state, or keeper of a public ferry or toll-gate;

11. An active member of the National Guard of California, or an active member of a paid fire department of any city and county, city, town or village in this state, or an exempt member of a duly authorized fire department;

12. A superintendent, engineer, brakeman, motorman or conductor on a railroad; or

13. A person drawn as a juror in any court of record in this state upon a regular panel, who has served as such within a year, or a person drawn or summoned as a juror in any such court who has been discharged as a juror within a year, as hereinafter provided; provided, however, that in counties having less than 5,000 population the exemption provided by this sub-division shall not apply.

LABOR LAWS; See Also Mechanics' and Materialmen's Liens, and Workmen's Compensation, Insurance and Safety Act.

EMPLOYMENT DEFINED—The contract of employment is a contract by which one who is called the Employer engages another, who is called the Employee, to do something for the benefit of the Employer, or of a third person.

TERMINATION AT WILL—An employment having no specified term may be terminated at the will of either party, on notice to the other, except where otherwise provided by the statute.

TERMINATION BY EMPLOYER FOR FAULT—An employment, even for a specified term, may be terminated at any time by the employer in case of any wilful breach of duty by the employee, in the course of employment, or in case of his habitual neglect of duty, or continued incapacity to perform it.

TERMINATION BY EMPLOYEE FOR FAULT—An employment, even for a specified term, may be terminated by the employee at any time in case of any wilful or permanent breach of the obligations of his employer to him as an employee.

COMPENSATION—An employee dismissed by his employer for good cause is not entitled to any compensation for services rendered since the last day upon which a payment became due to him, under the contract. An employee who quits the service of his employer for good cause is entitled to such proportion of the compensation which would become due in case of full performance as the services which he has already rendered bear to the services which he was to render as full performance.

WHEN SERVANT MAY BE DISCHARGED—A master may discharge any servant, other than an apprentice, whether engaged for a fixed term or not: (1) If he is guilty of misconduct in the course of his service, or of gross immorality, though unconnected with the same; (2) If being employed about the person of the master, or in a confidential position, the master discovers that he has been guilty of misconduct before or after the commencement of his service, of such a nature that, if the master had known or contemplated it he would not have so employed him.

PAYMENT OF WAGES—No person, firm or corporation shall issue in payment of, or as evidence of, indebtedness of wages due an employee, any order, check, memorandum, or other acknowledgment of indebtedness unless the same is negotiable, and is payable upon demand, without discount, in cash, at some bank, or other established place of business in the state, but this shall not apply to counties, cities and counties, municipal corporations, quasi-municipal corporations, or school districts.

TIME OF PAYMENT OF WAGES—Whenever an employer discharges an employee, the wages earned and unpaid at the time of such discharge

WE INVITE NEW ACCOUNTS
Upon Our Merits For
STRENGTH AND SAFETY.

shall become due and payable immediately. When any such employee, not having a contract for a definite period, quits or resigns his employment, the wages earned and unpaid at the time of such quitting or resignation shall become due and payable five days thereafter.

All wages, other than those mentioned in the preceding paragraph, earned by any person during any one month, shall become due and payable at least once in each month, and no person, firm or corporation for which such labor has been performed shall withhold from any such employee any wages so earned or unpaid for a longer period than fifteen days after such wages become due and payable, but this shall not limit or interfere with the right of such employee to accept from such person, firm or corporation wages earned and unpaid for a shorter period than one month.

ESCAPE SHAFT IN QUARTZ MINES—No perpendicular or inclined shaft shall be sunk beyond a depth from the surface of 300 feet in a quartz mine without providing a second mode of egress from such mine by shaft or tunnel to connect with the main shaft at a depth of not less than 100 feet from the surface, where twelve men are employed daily.

WAGES EXEMPT FROM EXECUTION—The earnings of a judgment debtor for his personal services rendered at any time within thirty days next preceding the levy of execution or judgment are exempt therefrom when it appears by the debtor's affidavit, or otherwise, that such earnings are necessary for the use of his family, residing in this state, supported in whole or in part by his labor; but where debts are incurred by any such person, or his wife or family, for the common necessaries of life, or had been incurred at a time when the debtor had no family residing in this state, supported in whole or in part by his labor, one-half of such earnings is subject to execution, garnishment or attachment.

RESTRAINING EMPLOYEES FROM MEMBERSHIP IN UNION—Any person or corporation, or agent or officers on behalf of said person or corporation, who coerces or compels any person or persons to enter into an agreement, either written or verbal, not to join, or become a member of any labor organization as a condition of such person or persons securing employment or continuing in the employment of any such person or corporation, is guilty of a misdemeanor.

LABOR COMBINATIONS NOT UNLAWFUL—No agreement, combination, or contract by or between two or more persons to do, or procure to be done, or not to do, or procure not to be done, any act in contemplation or furtherance of any trade dispute between employers and employees in the state, shall be deemed criminal, but this does not authorize force or violence, or threats thereof.

BUREAU OF LABOR STATISTICS—The commissioner of the bureau of labor statistics shall hold office and serve solely at the pleasure of the governor, and his duties shall be to collect, assort, systematize and present in biennial reports to the legislature, statistical details relating to all departments of labor in the state, such as hours and wages of labor, cost of living, amount of labor required, estimated number of persons depending on daily labor for their support, the probable chances of all being employed, the operation of labor-saving machinery in its relation to hand labor, etc. He shall have free access to all places and works of labor.

UNLAWFUL USE OF UNION BUTTON OR CARD—Any one wilfully wearing a button of any labor union in this state, unless entitled to wear the same under rules of the labor union, is guilty of a misdemeanor, punishable by imprisonment for a term not to exceed 20 days in the county jail, or by a fine not to exceed $20, or by both such fine or imprisonment. Anyone wilfully using the card of any labor union to obtain aid, assistance or employment, unless entitled to use said card under the rules and regulations of the labor union, is guilty of a misdemeanor.

A BANK ACCOUNT IS A VALUABLE RECORD
OF
INCOME AND EXPENDITURES.

WEEKLY DAY OF REST—Every person employed in any occupation of labor shall be entitled to one day's rest therefrom in seven, but this does not apply to any case of emergency, but does apply whether the employee is engaged by the day, week, month or year, and whether the work is performed in the day or night time.

MINE BELL SIGNALS—Every person, company, corporation or individual operating any mine in the state must provide a specified system or code of mine bell signals for shafts, inclines, drifts, cross-cuts, tunnels and underground workings, and any person or company failing to carry out the provisions of the Act shall be responsible for all damages arising to, or incurred by, any person working in said mine during the time of such failure.

HOURS OF LABOR FOR DRUG CLERKS—No person employed shall, for more than an average of ten hours a day, or sixty hours a week, or six consecutive calendar days, perform the work of selling drugs or other medecines, or compounding physicians' prescriptions in any store, establishment, or place of business where, and in which, drugs or medecines are sold at retail, or physicians' prescriptions are compounded, but the answering of and attendance to emergency calls shall not be construed as a violation of this provision.

MINIMUM WAGE OF EMPLOYEES ON PUBLIC WORK—The minimum compensation to be paid for labor upon all work performed under the direction, control, or by the authority of, any officer of the state, acting in his official capacity, or under the direction, control or by the authority of any municipal corporation, or any officer thereof, acting as such, is fixed at $2 per day, and a stipulation to that effect must be made a part of all contracts to which the state, or municipal corporation therein, is a party. But this does not apply to persons employed regularly in any of the public institutions of the state, or any city, city and county, or county.

REPORTING OF OCCUPATIONAL DISEASES—Every medical practitioner attending on, or called in to visit, a patient whom he believes to be suffering from leads, phosphorous, arsenic or mercury, or their compounds, or from anthrax, or from compressed air illness contracted as a result of the nature of the patient's employment, shall send to the state board of health a notice, stating the name and full postal address and place of employment of the patient, and the disease from which, in his opinion, the patient is suffering.

SANITATION OF CAMPS—The state board of health is given the right and power to condemn any camp where five or more persons are employed, unless the bunk houses, tents and other sleeping places of such camps shall be kept clean and free from accumulations of dirt, filth, garbage or other deleterious matter, and contains sufficient air space to insure an adequate supply of fresh air to each person occupying the same.

EIGHT-HOUR DAY IN MINES AND MILLS—The period of employment for all persons who are employed or engaged in work in underground mines in search of minerals, whether base or precious, or who are engaged in such underground mines for other purposes, or who are employed or engaged in any other underground workings, whether for the purpose of tunneling, making excavations, or to accomplish any other purpose or design, or who are employed in smelters and other institutions for the reduction or refining of ores or metals, shall not exceed eight hours within twenty-four hours, and the hours of employment in such employment or work shall be consecutive, excluding, however, any intermission of time for lunch or meals, but in case of emergency, where life or property is in imminent danger, the period may be longer, during the continuance of the exigency or emergency, and severe penalties are enacted for any violation of the law. (This law has been held constitutional by the supreme court.)

WE RECEIVE
DEPOSITS
SUBJECT TO CHECK.

PAYMENT OF WAGES EARNED IN SEASONAL LABOR—Where a person is hired within this state to perform seasonal labor, and the wages are to be paid in this state at the termination of such employment, upon application of either the employer or employee the wages earned in such seasonal labor shall be paid in the presence of the commissioner of the bureau of labor statistics, or an examiner appointed by him, and the commissioner shall hear and decide all disputes arising from wages earned in said seasonal labor, and shall allow or reject any deduction made from such wages, but he shall reject all deductions made for gambling debts incurred by the employee, and for liquor sold to him during such employment.

CHILD LABOR LAW—No minor under the age of eighteen years shall be employed in laboring in any manufacturing, mechanical or mercantile establishment, or other place of labor, more than eight hours in one day, except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week, and in no case shall the hours of labor exceed forty-eight hours in a week. No minor under the age of eighteen years shall be employed, or permitted to work, between the hours of 10:00 o'clock in the evening and 5:00 o'clock in the morning. No minor under the age of fifteen years shall be employed in any mercantile institution, office, laundry, manufacturing establishment, work shop, place of amusement, resort, hotel, apartment house, or in the distribution or transmission of merchandise or messages, unless each minor is supplied with a permit from the superintendent of schools, as specified in the statute.

EMPLOYMENT OF MINORS BETWEEN FIFTEEN AND SIXTEEN YEARS—No minor who is under sixteen years of age shall be employed or permitted to work at any gainful occupation during the hours that the public schools of the city, town or school district in which his place of employment is situated, are in session, unless he or she has completed the prescribed grammar school course, or unless he or she is a regular attendant for the then current term at a regularly conducted night school; but if the bodily or mental condition of said minor is such as to render inadvisable attendance at school, or application to study, a certificate from any licensed physician that said minor should not attend school shall be sufficient excuse for such non-attendance. Every person, firm or corporation employing minors under eighteen years of age in any manufacturing establishment shall post, and keep posted, in a conspicuous place in every room where such minors are employed, a written or printed notice, stating the number of hours per day of each day of the week required of such minors. Full provision is made for certificates of age and schooling to be kept on file by the employer, for the issuance of such certificates, and filing of duplicates thereof, and for semi-annual reports of the county superintendent of schools in each county, the form of certificate to be issued, and penalties for issuance of false certificates. No minor having the permit to work provided by law, and the legal schooling certificate, and no minor under sixteen years of age who would by law be required to attend school shall, while the public schools are in session, be and remain idle and unemployed for a period longer than two weeks, but must enroll and attend school, and within one week after such minor shall have ceased to be employed by any employer, such employer shall, in writing, notify the county superintendent of schools of the cessation of such employment. Full provision is made for the liability of the employer violating any of the provisions of the Act, and for penalties incurred, and the disposition of the fines. Exceptions are made in regard to the employment of minors at

PUT YOUR MONEY
IN A BANK
AND PAY YOUR OBLIGATIONS BY CHECK.

agricultural, horticultural, or viticultural, or domestic labor during the time the public schools are not in session, or during other than school hours, and special provisions are made in the case of theatres. The bureau of labor statistics must enforce the provisions of the Act. (The child labor law has been declared to be constitutional by the supreme court.)

ASSIGNMENT OF WAGES—No assignment of, or order for, wages or salary shall be valid unless made in writing by the person by whom the said wages or salary are earned, and no assignment of, or order for, wages or salary made by a married person shall be valid unless the written consent of the husband or wife of the person making such assignment or order is attached to such assignment or order; and no assignment or order for wages or salary of a minor shall be valid unless the written consent of a parent or guardian of such minor is attached to such order or assignment. No assignment of, or order for, wages or salary shall be valid unless at the time of the making thereof, such wages or salary have been earned, except for the necessities of life, and then only to the person or persons furnishing such necessities of life directly, and then only for the amount needed to furnish such necessities Any power of attorney to assign or collect wages or salary shall be revocable at any time by the maker thereof.

BLACKLISTING PROHIBITED—Blacklisting of any discharged employee by any person, firm or corporation, or officer or director of a corporation, or superintendent, manager or other agent of such person, firm or corporation, is prohibited, and is punishable by a fine not exceeding $2,000, and by treble damages to any such employee sustaining damage through a violation of the Act.

EIGHT-HOUR LAW FOR WOMEN—No female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, public lodging house, apartment house, hospital, place of amusement or restaurant, or telegraph or telephone establishment, or office, or by any express or transportation company in the state, more than eight hours during any one day, or more than forty-eight hours in one week. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than eight hours during the twenty-four hours of one day, or forty-eight hours during any one week, but the provisions of the law do not apply to, or affect, the harvesting, curing, canning or drying of any variety of perishable fruit or vegetable, nor to graduate nurses in hospitals. (The supreme court has held this law to be constitutional.)

FURNISHING SEATS FOR WOMEN EMPLOYEES—Every employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or other establishment, employing any female, shall provide suitable seats for all female employees, and shall permit them to use such seats when they are not engaged in the active duties of their employment.

The enforcement of the provisions of this and the preceding paragraphs are under the bureau of labor statistics.

LANDLORD AND TENANT; See Also Fixtures and Hiring.

The relation of landlord and tenant is that which exists by virtue of a contract for the possession of lands, and the contract itself, by which this relation is created, is known as a lease. All leases of land for a longer period than one year must be in writing.

LEASES OF FARM LAND—No lease or grant of land for agricultural or horticultural purposes, for a longer period than fifteen years, in which shall be reserved any rent or service of any kind, shall be valid.

If you make your payments by CHECK
You Have a Record
WHICH CANNOT BE DISPUTED.

LEASES OF CITY LOTS—No lease or grant of any town or city lot for a longer period than ninety-nine years, in which shall be reserved any rent or service of any kind, shall be valid, but the property of any municipality or any minor or incompetent person shall not be leased for a longer period than ten years.

MARRIAGE.

Marriage is a personal relation arising out of a civil contract to which the consent of parties capable of making that contract is necessary. Consent alone will not constitute marriage; it must be followed by a solemnization authorized by law.

Any unmarried male of the age of eighteen years or upwards, and any unmarried female of the age of fifteen years or upwards, and not otherwise disqualified, are capable of consenting to and consummating marriage.

Marriages between parents and children, ancestors and descendants of every degree, between brothers and sisters, of the half, as well as the whole blood, and between uncles and nieces, or aunts and nephews, are incestuous, and void from the beginning, whether the relationship is legitimate or illegitimate.

All marriages of white persons with negroes, Mongolians or mulattoes, are illegal and void.

All persons about to be joined in marriage must first obtain a license therefor from the county clerk of the county in which the marriage is to be celebrated, which license must show: (1) the identity of the parties; (2) their real and full names and places of residence; (3) their ages; and (4) whether white, Mongolian, negro or mulatto. No license must be granted when either of the parties is an imbecile or insane, or who, at the time of making the application for said license, is under the influence of any intoxicating liquor or narcotic drug. No license must be issued authorizing the marriage of a white person with a negro, mulatto or Mongolian. If the male is under the age of twenty-one years or the female under the age of eighteen years, and such person has not been previously married, no license must be issued by the county clerk unless the consent, in writing, of the parents of the person under age, or one of such parents, or of his or her guardian, is presented to him, duly verified by such persons or parent or guardian; and such consent must be filed by the clerk, and he must state such facts in the license. All persons about to be joined in marriage must obtain from the county clerk of the county in which the marriage is to be celebrated, in addition to the licenses above provided for, a certificate of registry, as provided in section 3076 of the Political Code, which shall be filled out in the presence of the county clerk issuing the marriage license, and shall then be presented to the person performing the ceremony, and shall be filed by him with the county recorder within three days after the ceremony. Marriages may be solemnized by either a justice of the supreme court, justices of the district courts of appeal, judge of the superior court, justice of the peace, judge of any police court, city recorder, priest or minister of the gospel of any denomination. No particular form for the ceremony or marriage is required, but the parties must declare, in the presence of the person solemnizing the marriage, that they take each other as husband and wife. The person solemnizing the marriage must make, sign and endorse upon, or attach to, the license, a certificate showing the fact, time and place of solemnization, and the names and places of residence of one or more witnesses to the ceremony, and he must, at the request of, and for either party, make a certified copy of the license and certificate, and file the originals with the county recorder within thirty days

THE BEST
BUSINESS MEN DEPOSIT THEIR MONEY
IN A BANK.

after the marriage. When unmarried persons, not minors, have been living together as man and wife, they may, without a license, be married by any clergyman. A certificate of such marriage must, by the clergyman, be made and delivered to the parties, and recorded upon the records of the church of which the clergyman is a representative. No other record need be made.

MECHANICS' AND MATERIALMEN'S LIENS.

MECHANICS: LIENS, FOR WHAT GIVEN—A lien may be had to secure payment for labor performed, or materials furnished in or for the construction, alteration, addition to, or repair of. any building or other structure; on any railroad, vessel, wharf, bridge, ditch, flume, well, tunnel, fence, machinery, wagon road, mine or mining claim (either in the development of said mine or mining claim, or in working thereon by the subtractive process); for labor done in, with, about or upon any threshing machine, engine, wagon or other appliances used in threshing; for cutting, hauling, rafting or drawing logs, bolts or other lumber; for grading or improving any town lot, or the street or sidewalks in front of or adjoining the same; for the labor or skill expended for the improvement or safekeeping of any article of personal property; for service on vessels.

WHO MAY HAVE LIEN—Contractors, sub-contractors, materialmen, and all persons performing manual labor; mates and seamen of a ship; laundry proprietors.

SUBJECT PROPERTY—The land upon which any building or improvement is constructed, or so much as may be required for the convenient use and occupation, is subject to lien, if owned by the person causing such construction at the commencement of the work, but only to the extent of his interest; vessels and their freightage; threshing machines, engines, wagons, etc.; logs and other timber; personal property lawfully in the hands of any mechanic, repairman or caretaker; laundry work.

AMOUNT OF LIEN—In general, for the value of the labor done and material furnished. A contractor's lien secures the amount of the claim in the contract, such lien to operate in favor of all parties claiming recovery. No lien, except that of a contractor, may be diminished by any indebtedness or set-off in favor of the owner and against the contractor.

CONTRACTING—Contracts involving and exceeding $1,000 must be in writing, and must be filed in the office of the county recorder. Work must be done at the instance of the owner or of his agent, which term includes every contractor, sub-contractor, architect, builder, or any person in charge of any mining claim or claims, whether as lessee or otherwise.

POSTING NOTICE OF NON-RESPONSIBILITY—Work will be presumed to have been done at the instance of the owner, unless, within ten days after he shall have obtained knowledge of such construction, alteration or repair, or work, or labor, he shall have given notice that he will not be responsible for the same, by posting a notice in writing to that effect in some conspicuous place upon the property, and shall also, within the same period, file for record a verified copy of said notice in the office of the county recorder of the county in which said property, or some part thereof, is situated. Said notice shall contain a description of the property affected thereby, sufficient for identification, with the name, and the nature of the title or interest of the person giving the same, and said copy so recorded may be verified by anyone having a knowledge of the facts on behalf of the owner or person for whose protection the notice is given.

NOTICE BY CLAIMANT—Notice may be given at any time by any claimant, other than an original contractor, whereupon it shall be the

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AND CAN PLEASE YOU.

owner's duty to withhold from the contractor an amount equal to the claim made. Personal property held under lien may be sold after two months on ten days' notice.

FILING—Within ten days after the completion of a contract, or within forty days after cessation from labor on any unfinished contract, the owner must file a notice setting forth dates and description of property, work done, etc., or he is estopped from making the defense that any alien was filed after the expiration of the time fixed. Every original contarctor has 60 days, and other claimants have thirty days after the filing of the above notice by the owner in which to file liens. Liens on mining claims and city lots must be filed within thirty days after the completion of the work. All claims and liens must be filed within ninety days after the completion of the work for which they are claimed.

LIMITATION—No lien binds any building, improvement, or mining claim for longer than ninety days after filing, unless proceedings thereon have been commenced; or if a credit be given, within 90 days after such credit expires, which may, in no case, be longer than one year from the time the work was completed. Threshers' liens must be proceeded on within ten days, and lumbermen's liens within thirty days after the completion of the labor for which claim is made. Liens on vessels continue for one year.

RANK—Mechanics' liens are preferred to any lien, or other incumbrance attaching subsequently to the commencement of the work for which given; also to any earlier incumbrance of which the lien-holder had no notice, and which was not recorded at such commencement of work. Such liens have among themselves the following rank, and require satisfaction in the order named: First: Liens of persons performing manual labor; second, liens of persons furnishing material; third, liens of sub-contractors; fourth, liens of original contractors. Liens on vessels are prior to all other claims.

MINES AND MINING.

FEDERAL STATUTES—A mining claim located after the tenth day of May, 1872, whether located by one or more persons, may equal, but shall not exceed, 1500 feet in length along the vein or lode, but no location of a mining claim shall be made until the discovery of the vein or lode within the limits of the claim located. No claim shall extend more than 300 feet on each side of the middle of the vein at the surface, nor shall any claim be limited by any mining regulation to less than twenty-five feet on each side of the middle of the vein at the surface, except where adverse rights existing on the tenth day of May, 1872, render such limitation necessary. The end lines of each claim shall be parallel to each other.

The miners of each mining district may make regulations not in conflict with the laws of the United States, or with the laws of the state or territory in which the district is situated, governing the location, manner of recording, amount of work necessary to hold possession of a mining claim, subject to the following requirements: The location must be distinctly marked on the ground so that its boundaries can be readily traced. All records of mining claims heretofore made shall contain the name or names of the locators, the date of the location, and such a description of the claim or claims located as will identify the claim. On each claim located after the tenth day of May, 1872, and until a patent has been issued therefor, not less than $100 worth of labor shall be performed, or improvements made during each year. Where a person or company has or may run a tunnel for the purpose of developing a lode or lodes owned by said person or company, the money so expended in said tunnel shall be taken and considered as expended on said lode or lodes, whether located prior to or since the passage of the mining act providing therefor; and

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IS A GREAT AID
IN SAVING MONEY.

such person or company shall not be required to perform work on the surface of said lode or lodes in order to hold the same. The work required to be done annually on all unpatented mineral claims shall commence on the first day of January succeeding the date of location of such claim. Claims usually called "placers" including all forms of deposit, excepting veins of quartz or other rock in place, shall be subject to entry and patent under like circumstances and conditions, and upon similar proceedings, as are provided for vein or lode claims; but where the lands have been previously surveyed by the United States, the entry in its exterior limits shall conform to the legal sub-divisions of the public lands.

The signification commonly given to placer claims has been extended and enlarged so as to include almost all forms of deposit except quartz veins, or other rock in place. For example, building stone, salt springs, or deposits of salt in any form, granite quarries, marble and petroleum, or other mineral oils. The reference made to "lands previously surveyed" does not dispense with the requirements of law as to how the lines claimed shall be marked or evidenced, and the exterior boundaries of placer claims should be marked in the manner heretofore stated. It is also necessary to perform the annual assessment work upon placer claims to the same extent as on quartz claims.

Where oil lands are located, the annual assessment and labor upon such claims may be done upon any one of a group of claims lying contiguous, and owned by the same person or corporation, not exceeding five claims in all, but such labor must tend to the development or to determine the oil bearing character of such contiguous claims.

Legal sub-divisions of 40 acres may be sub-divided into 10-acre tracts, and two or more persons, or associations of persons having contiguous claims of any size, although such claims may be less than ten acres each, may make joint entry thereof; but no location of a placer claim made after the ninth day of July, 1870, shall exceed 160 acres for any one person, or association of persons, which location shall conform to the United States surveys; and nothing in this paragraph contained shall defeat or impair any bona fide pre-emption or homestead claim upon agricultural lands, or authorize the sale of the improvements of any bona fide settler to any purchaser.

Where placer claims are upon surveyed lands conforming to the legal sub-divisions, no further survey or plat shall be required, and all placer mining claims located after the tenth day of May, 1872, shall conform, as near as practicable, with the United States system of public land surveys, and the rectangular sub-divisions of said surveys, and no such location shall include more than 20 acres for each individual claimant; but where placer claims cannot be conformed to the legal sub-divisions, survey and plat shall be made as on unsurveyed lands; and where, by the segregation of mineral land in any legal sub-division, a quantity of agricultural land less than forty acres remains, such fractional portion of agricultural land may be entered by any party qualified by law for homestead or pre-emption purposes.

CALIFORNIA DEBRIS COMMISSION—The federal commission, known as the California debris commission, consists of three members appointed by the president of the United States, with the advice and consent of the senate, from officers of the corps of engineers, United States Army, which may adopt rules and regulations not inconsistent with law, to govern its deliberations, and prescribe the method of procedure under the provisions of the act creating it. The jurisdiction of the commission, insofar as the same affects mining carried on by the hydraulic process, extends to all such mining in the territory drained by the Sacramento and San Joaquin river systems in the State of California. Hydraulic mining, as defined in the act creating the commission, directly or indirectly injuring the navigability of

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said river systems, carried on in said territory, other than as permitted under the provisions of the act, and the rules and regulations adopted thereunder, is prohibited and declared invalid.

PREVENTING WASTE OF NATURAL GAS—All persons, firms, corporations, or associations, digging, drilling, excavating, constructing, or owning or controlling any well from which natural gas flows shall, upon the abandonment of such well, cap, or otherwise close the mouth of, or entrance to, the same, in such manner as to prevent the unnecessary or wasteful escape into the atmosphere of such natural gas, nor shall they wilfully permit natural gas flowing from said well or wells wastefully or unnecessarily to escape into the atmosphere. The violation of this provision is a misdemeanor, punishable by a fine of not more than $1,000, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment. And each day's violation shall be deemed a separate and distinct violation thereof.

PROTECTION OF OIL AND GAS STRATA—It shall be the duty of the owner of any well now drilled, or that may be drilled in the state, on lands producing or containing oil, gas, or petroleum, to properly case such well or wells with metal casing, in accordance with the most approved methods, and to effectually shut off all water over-lying or under-lying the oil-bearing strata, and to effectualy prevent any water from penetrating such oil-bearing strata.

It shall be the duty of the owner of such well, before abandoning the same, to withdraw the casing therefrom, and to securely fill such well with clay, earth or cement mortar, or other good and sufficient materials, used alone or in suitable combination, and thoroughly pack and tamp the same into such well, to a point as far above the upper oil-bearing strata as the commissioner appointed by the board of supervisors, under the provisions of the act, may decide shall be necessary, and while withdrawing the casing therefrom, to effectually and permanently shut off and exclude all water underlying and overlying such oil-bearing strata to the satisfaction of said commissioner, whether any oil-bearing strata has been encountered or not.

It shall be the duty of the owner of any well referred to, to keep a careful and accurate log of the drilling of said well, said log to show the character and depth of the formations passed through or encountered in the drilling of said well, and particularly to show the location and depth of the water-bearing strata, together with the charcter of the water encountered from time to time, and to show at what point such water was shut off, if at all, and if not, to so state in such log, and show the depth at which oil-bearing strata is encountered, the depth and character of the same, and whether all water overlying and underlying said oil-bearing strata was successfully and permanently shut off, so as to prevent the percolation or penetration into such oil-bearing strata, said record of well to be kept on file and subject to the inspection of said commissioner at any time during business hours. Complete and effective procedure is prescribed for enforcing these provisions.

STATE LOCATION LAWS—The state location laws follow the federal location laws, except that in each instance, whether of a quartz claim, a placer claim, a tunnel right, a mill-site or other location, the location notice must be recorded with the county recorder within thirty days after the location shall have been made, and the record of any such location in the office of the county recorder shall be received in evidence, and have the same force and effect in the courts of the state as the original notice. Provision is also made for a similar filing of the field notes attached to a certificate of the surveyor, where a locator, or his assigns, has the boundaries and corners of his claim established by a United States deputy mineral surveyor, or a licensed surveyor of the state, and his claim connected with the corner of the public or minor surveys of an established

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"LAWS AND FACTS CONCERNING BANKS AND BANKING"
ON FOURTH PAGE OF READING MATTER.

initial point. Provision is also made for similar recording within ninety days after giving notice by a co-owner to a delinquent co-owner in the matter of annual assessment work, of the notice, and the affidavit of service, where the notice is given in writing, and of the affidavit and notice of publication, within 180 days after the first publication thereof, where the notice is given by publication.

The failure or neglect of any locator of a mining claim to perform development work of the character, in the manner, and within the time, required by the laws of the United States, shall disqualify such locators from re-locating the ground embraced in the original location or the mining claim or any part thereof under the mining laws, within three years after the date of his original location, and any attempted re-location thereof by any of the original locators shall render such location void.

FENCING ABANDONED SHAFTS—All abandoned mining shafts, pits, or other abandoned excavations, dangerous to passers-by, or livestock, shall be securely covered or fenced, and kept so by the owners of the land, or persons in charge of the same, on which such shafts, pits or other excavations are located, and a violation of this provision is made a misdemeanor, and a similar service shall be performed for all such abandoned mining shafts, pits or other excavations situated on unoccupied public lands by the board of supervisors of the county wherein the same are situated, at the expense of the county.

MINER'S INCH DEFINED—A standard miner's inch of water shall be equivalent or equal to 1½ cubic feet of water per minute measured through any apperture or orifice.

MORTGAGES.

A mortgage is a contract by which specific property is hypothecated for the performance of an act, without the necessity of a change of possession. A mortgage may be created upon property held adversely to the mortgagor. A mortgage can be created, renewed or extended only by writing, executed with the formalities required in the case of a grant of real property.

LIEN, WHEN SPECIAL—The lien of a mortgage is special unless otherwise expressly agreed, and is independent of possession.

DEED, WHEN A MORTGAGE OR PLEDGE—Every transfer of an interest in property other than in trust, made only as security for the performance of another act, is to be deemed a mortgage, except when, in the case of personal property, it is accompanied by the actual change of possession, in which case it is deemed to be a pledge.

ON WHAT A LIEN—A mortgage is a lien upon everything that would pass by a grant of the property, but does not bind the mortgagor personally to perform the act for the performance of which it is a security, unless there is an express covenant to that effect.

SUBSEQUENTLY ACQUIRED TITLE INURES TO MORTGAGEE—Title acquired by the mortgagor subsequent to the execution of the mortgage insures to the mortgagee as security for the debt in like manner as if acquired before the execution.

POWERS OF SALE—A power of sale may be conferred by a mortgage upon the mortgagee, or any other person, to be exercised after a breach of the obligation for which the mortgage is a security.

ASSIGNMENT OF DEBT—The assignment of a debt secured by mortgage carries with it the security, and the assignment of a mortgage may be recorded in like manner as a mortgage.

MORTGAGE, HOW DISCHARGED—A recorded mortgage may be discharged by an entry in the margin of the record thereof, signed by the mortgagee, or his personal representative, or assignee, acknowledging the

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satisfaction of the mortgage, in the presence of the recorder, who must certify the acknowledgment in the form substantially as follows: "Signed and acknowledged before me this ..... day of ..... in the year .....A. D., Recorder." A recorded mortgage, if not thus discharged, must be discharged upon the record by the officer having custody thereof, on presentation to him of a certificate, signed by the mortgagee, his personal representatives or assigns, acknowledged or duly approved and certified, stating that the mortgage has been paid, satisfied or discharged, and such satisfaction of mortgage may be recorded with the county recorder. Foreign executors, administrators and guardians may satisfy mortgages upon the records of any county in this state upon producing and recording, in the office of the county recorder of the county in which such mortgage is recorded, a duly certified and authenticated copy of their letters testamentary, or of administration, or guardianship, and which certificate or authentication shall also recite that such letters have not been revoked.

WHEN PERSONAL PROPERTY VOID AS TO THIRD PERSON—A mortgage of personal property is void as against creditors of the mortgagor and subsequent purchasers and encumbrancers of the property in good faith, and for value, unless: (1) It is accompanied by the affidavit of all the parties thereto that it is made in good faith, and without any design to hinder; delay or defraud creditors; and (2) It is acknowledged or proved, certified and recorded in like manner as grants of real property.

MORTGAGES OF PERSONAL PROPERTY, WHERE RECORDED—A mortgage of personal property must be recorded in the office of the county recorder of the county in which the mortgagor resides, if the mortgagor be a resident of this state, and it shall also be recorded in the county in which the property mortgaged is situated, or to which it may be removed. Property in transit from the possession of the mortgagee to the county of the residence of the mortgagor, or to a location for use, is, during a reasonable time for such transportation, to be taken as situated in the county in which the mortgagor resides, or where it is intended to be used.

WHAT PERSONAL PROPERTY MAY BE MORTGAGED—Mortgages may be made on all growing crops, including grapes and fruit, and upon any and all kinds of personal property, except the following: (1) Personal property not capable of manual delivery; (2) articles of wearing-apparel and personal adornment; (3) the stock in trade of a merchant.

MORTGAGED PERSONAL PROPERTY, EFFECT OF REMOVAL—When personal property mortgaged is thereafter removed from the county in which it is situated, the lien of the mortgage shall not be affected thereby for thirty days after such removal, but after the expiration of such thirty days the property mortgaged is exempted from the operation of the mortgage, except as between the parties thereto, until either: (1) the mortgagee causes the mortgage to be recorded in the county to which the property has been removed; or (2) the mortagee takes possession of the property.

MORTGAGE ON PERSONAL PROPERTY, HOW FORECLOSED—A mortgagee of personal property, when the debt to secure which the mortgage was executed, becomes due, may foreclose the mortgagor's right of redemption by a sale of the property made in the manner and upon the notice prescribed in the case of pledges.

FORECLOSURE—There can be but one action for the recovery of any debt, or the enforcement of any right secured by mortgage upon real property, or personal property, which action must be in accordance with the provisions of the chapter of the code of civil procedure concerning foreclosure.

REDEMPTION OF REAL PROPERTY—The mortgagee of real property may redeem it from the purchaser any time within twelve months after the sale, by paying the amount of his purchase, with 1% per month

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thereon in addition, up to the time of redemption, together with the amount of any assessment or taxes which the purchaser may have paid thereon after purchase, and interest on such amount.

DEED OF TRUST—A deed of trust to secure the payment of money differs from a mortgage in that there is no foreclosure by decree in court, as in the case of a mortgage, but the property is disposed of under the conditons of the trust set forth in the instrument, and there is no right of redemption from its sale, as in the case of real property sold under the foreclosure of a mortgage.

NEGOTIABLE INSTRUMENTS.

DEFINITION—A negotiable instrument is a written promise or request for the payment of a certain sum of money to order or bearer, in conformity with the provisions of the civil code concerning such instruments.

MUST BE FOR UNCONDITIONAL PAYMENT OF MONEY—A negotiable instrument must be made payable in money only, and without any condition not certain of fulfillment, except that it may provide for the payment of attorneys' fees and costs of suit in case suit be brought thereon to compel payment thereof.

PAYEE—The person to whose order a negotiable instrument is made payable must be ascertainable at the time the instrument is made.

DATE—A negotiable instrument may be with or without date, and with or without designation of the time or place of payment. Any date may be inserted by the maker of a negotiable instrument, whether past, present or future, and the instrument is not invalidated by his death or incapacity, at the time of the nominal date.

MAY CONTAIN A PLEDGE—A negotiable instrument may contain a pledge of collateral security, with authority to dispose thereof.

DIFFERENT CLASSES OF NEGOTIABLE INSTRUMENTS—There are six classes of negotiable instruments, namely: (1) Bills of exchange; (2) promissory notes; (3) bank notes; (4) checks; (5) bonds; (6) certificates of deposit.

WHERE TIME NOT SPECIFIED—A negotiable instrument which does not specify the time of payment is payable immediately.

PLACE OF PAYMENT NOT SPECIFIED—A negotiable instrument which does not specify a place of payment is payable at the residence or place of business of the maker, or wherever he may be found.

INSTRUMENT PAYABLE TO A PERSON OR HIS ORDER—An instrument, otherwise negotiable in form, payable to a person named, or with the words added "or to his order", or "to bearer", or words equivalent thereto, is, in the former case, payable to the written order of such person, and in the latter case, payable to bearer.

ENDORSED NOTE, WHEN NEGOTIABLE—A negotiable instrument made payable to the order of the maker, or of a fictitious person, if issued by the maker for a valuable consideration, without endorsement, has the same effect against him, and all other persons having notice of the facts, as if payable to the bearer. A negotiable instrument made payable to the order of a person obviously fictitious, is payable to bearer.

PRESUMPTION OF CONSIDERATION—The signature of every drawer, acceptor and endorser of a negotiable instrument is presumed to have been made for a valuable consideration before the maturity of the instrument, and in the ordinary course of business.

ENDORSEMENT—One who writes his name upon a negotiable instrument, otherwise than as a maker or acceptor, and delivers it, with his name thereon, to another person, is called an endorser, and his act is called endorsement. One who agrees to endorse a negotiable instrument is bound to write his signature upon the back of the instrument, if there is sufficient

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space thereon for that purpose. An endorsement may be general or special. A general endorsement is one by which no endorsee is named. A special endorsement specifies the endorsee.

GENERAL ENDORSEMENT, HOW MADE SPECIAL—A negotiable instrument bearing a general endorsement cannot be afterwards specially endorsed, but any lawful holder may turn a general endorsement into a special one by writing above it a direction for payment to a particular person. A special endorsement may, by express words for that purpose, but not otherwise, be so made as to render the instrument not negotiable.

IMPLIED WARRANTY OF ENDORSER—Every endorser of a negotiable instrument, unless his endorsement is qualified, warrants to every subsequent holder thereof, who is not liable thereon to him: (1) that it is in all respects what it purports to be; (2) that he has a good title to it; (3) that the signatures of all prior persons are binding upon them; (4) that, if the instrument is dishonored, the endorser will, upon notice thereof, duly given to him, or without notice, where it is excused by law, pay the same, with interest, unless exonerated under special provisions of the statute concerning delays in presentment.

ENDORSER, WHEN LIABLE TO PAYEE—One who endorses a negotiable instrument before it is delivered to the payee, is liable to the payee thereon as an endorser.

ENDORSEMENT WITHOUT RECOURSE—An endorser may qualify his endorsement with the words "without recourse", or equivalent words; and upon such endorsement he is responsible only to the same extent as in the case of a transfer without endorsement; except as provided in the preceding sentence, an endorsement without recourse has the same effect as any other endorsement.

ENDORSEE PRIVY TO CONTRACT—An endorsee of a negotiable instrument has the same rights against every prior party thereto that he would have had if the contract had been made directly between them in the first instance.

EFFECT OF WANT OF CONSIDERATION—The want of consideration for the undertaking of the maker, acceptor or endorser of a negotiable instrument does not exonerate him from liability thereon to an endorsee in good faith for a consideration.

ENDORSEE IN DUE COURSE, WHAT—An endorsee in due course is one who, in good faith, in the ordinary course of business, and for value, before its apparent maturity or presumptive dishonor, and without knowledge of its actual dishonor, acquires a negotiable instrument, duly endorsed to him, or endorsed generally, or payable to bearer. An endorsee of a negotiable instrument in due course acquires an absolute title thereto, so that it is valid in his hands, notwithstanding any provision of law making it generally void or voidable, and notwithstanding any defect in the title of the person from whom he acquired it.

INSTRUMENT LEFT BLANK—One who makes himself a party to an instrument intended to be negotiable, but which is left wholly or partly in blank, for the purpose of filling afterwards, is liable upon the instrument to an endorsee thereof in due course in whatever manner, and at whatever time, it may be filled, so long as it remains negotiable in form.

EFFECT OF WANT OF DEMAND ON PRINCIPAL DEBTOR—It is not necessary to make a demand of payment upon the principal debtor in a negotiable instrument, in order to charge him.

APPARENT MATURITY, WHEN—The apparent maturity of a negotiable instrument, payable at a particular time, is the day on which by its terms it becomes due, or when that is a holiday, the next business day.

APPARENT MATURITY OF PROMISSORY NOTE PAYABLE ON DEMAND—The apparent maturity of a promissory note, payable at sight or on

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demand is: (1) If it bears interest, one year after its date; or (2) if it does not bear interest, six months after its date.

DISHONOR, WHAT—A negotiable instrument is dishonored when it is either not paid or not accepted, according to its tenor, on presentment, for the purpose, or without presentment, when that is excused.

NOTICE, BY WHOM GIVEN—Notice of the dishonor of a negotiable instrument may be given: (1) By a holder thereof; or (2) by any party to the instrument who might be compelled to pay it to the holder, and who would, upon taking it up, have a right to reimbursement from the party to whom the notice is given.

Notice of dishonor, when given by the holder of an instrument, or his agent, otherwise than by mail, must be given on the day of dishonor, or on the next business day thereafter. Where notice is given by mail it must be deposited in the post-office in time for the first mail which closes the afternoon of the first business day succeeding the dishonor, for the place to which the notice should be sent. A notice of the dishonor of a negotiable instrument, if valid in favor of the party giving it, inures to the benefit of all other parties thereto whose right to give the holder notice has not then been lost.

FORM OF NOTICE OF DISHONOR—A notice of dishonor may be given in any form which describes the instrument with reasonable certainty, and substantially informs the party receiving it that the instrument has been dishonored.

BILL OF EXCHANGE—A bill of exchange is an instrument, negotiable in form, by which one who is called the drawer, requests another, called the drawee, to pay a specified sum of money. The rights and obligations of the drawer of a bill of exchange are the same as those of the first endorser of any other negotiable instrument. An inland bill of exchange is one drawn and payable within this state. All others are foreign.

DAYS OF GRACE—Days of grace are not allowed.

PROTEST—Notice of the dishonor of a foreign bill of exchange can be given only by notice of its protest. Protest must be made by a notary public if, with reasonable diligence, one can be obtained; and if not, then by any reputable person, in the presence of two witnesses. Protest must be made by an instrument in writing giving a literal copy of the bill of exchange, with all that is written thereon, or annexing the original; stating the presentment, and the manner in which it was made; the presence or absence of the drawee or acceptor, as the case may be; the refusal to accept or to pay, or inability of the drawee to give a binding acceptance; and, in case of refusal, the reason assigned, if any; and finally, protesting against all the parties to be charged. A protest must be noted on the day of presentment, or on the next business day; but it may be written out at any time thereafter. Notice of protest must be given in the same manner as notice of dishonor, except that it may be given by the notary who makes the protest.

PROMISSORY NOTE—A promissory note is an instrument, negotiable in form, whereby the signor promises to pay a specified sum of money. An instrument in the form of a bill of exchange, but drawn upon and accepted by the drawer himself, is deemed to be a promissory note. If a promissory note, payable on demand or at sight, without interest, is not duly presented for payment within six months from its date, the endorsers thereof are exonerated, unless such presentment is excused.

CHECK DEFINED—A check is a bill of exchange drawn upon a bank or banker, or a person described as such, upon the face thereof, and payable on demand, without interest.

RULES APPLICABLE TO CHECKS—A check is subject to all the provisions of the code concerning bills of exchange, except that: (1) The drawer and endorsers are exonerated by delay in presentment only to the

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DEPOSITED WITH US
IS BEYOND THE REACH OF HOUSEBREAKERS.

extent of the injury which they suffer thereby; (2) an endorsee, after its apparent maturity, but without actual notice of its dishonor, acquires a title equal to that of an endorsee before such period.

NOTARIES PUBLIC; See also Acknowledgments.

NUMBER APPOINTED, AND HOW—The governor may appoint and commission such number of notaries public for the several counties, and cities and counties, of this state as he shall deem necessary for the public convenience, except that in counties of the second class the number shall not exceed 110.

QUALIFICATIONS AND RESIDENCE—Every person appointed as notary public must, at the time of appointment, be a citizen of the United States, and of this state, and 21 years of age; must have resided in the county for which the appointment is made for six months. Women having these qualifications may be appointed.

GENERAL DUTIES OF—It is the duty of notaries public:

1. When requested, to demand acceptance and payment of foreign, domestic and inland bills of exchange or promissory notes, and protest the same for non-acceptance and non-payment, and to exercise such other powers and duties as by the law of nations, and according to commercial usages, or by the laws of any other state, government or country, may be performed by notaries;
2. To take the acknowledgment or proof of powers of attorney, mortgages, deeds, grants, transfers and other instruments of writing, executed by any person, and to give a certificate of such proof or acknowledgment endorsed on or attached to the instrument.
3. To take depositions and affidavits and administer oaths and affirmations in all matters incident to the duties of the office, or to be used before any court, judge, officer or board in this state.
4. To keep a record of all official acts done by them.
5. To keep a record of the parties to, date and character of every instrument acknowledged or proved before them;
6. When requested, and upon the payment of their fees therefor, to make and give a certified copy of any record in their office;
7. To provide and keep official seals, upon which must be engraved the arms of this state, the words "Notary Public", and the name of the county for which they are issued;
8. To authenticate, with their official seals, all official acts.

EXTENT OF JURISDICTION IN THIS STATE—The proof or acknowledgment of an instrument may be made in this state within the city, county, or city and county for which a notary public is appointed and commissioned.

PARTNERSHIP.

DEFINITION—Partnership is the association of two or more persons for the purpose of carrying on business together, and dividing its profits between them.

FORMATION OF PARTNERSHIP—A partnership can be formed only by the consent of all the parties thereto, and thereafter no new partner can be admitted into a partnership without the consent of every existing member thereof.

PARTNERSHIP PROPERTY, WHAT—The property of a partnership consists of all that is contributed to the common stock at the formation thereof, and all that is subsequently acquired thereby.

PARTNERS' INTEREST IN PARTNERSHIP PROPERTY—The interest

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TO
SMALL OR LARGE DEPOSITORS.

of each member of a partnership extends to every portion of its property.

PARTNERS' SHARES IN PROFITS AND LOSSES—In the absence of any agreement on the subject, the shares of partners in the profit or loss of the business are equal, and the share of each in the partnership property is the value of his original contribution, increased or diminished by his share of profit or loss.

WHEN DIVISION OF LOSSES IMPLIED—An agreement to divide the profits of a business implies an agreement for a corresponding division of its losses unless it is otherwise expressly stipulated.

APPLICATION OF PARTNERSHIP PROPERTY—Each member of a partnership may require its property to be applied to the discharge of its debts, and as a lien upon the shares of the other partners for this purpose, and for the payment of the general balance, if any, due to him.

Property, whether real or personal, acquired with partnership funds, is presumed to be partnership property.

MUTUAL LIABILITY OF PARTNERS TO ACCOUNT—Each member of a partnership must account to it for everything that he receives on account thereof, and is entitled to reimbursement therefrom for everything which he personally expends for the benefit thereof, and to be indemnified thereby for all losses and risks which he necessarily incurs in its behalf.

RENUNCIATION OF FUTURE PROFITS EXONERATION FROM LIABILITY—A partner may exonerate himself from all future liability to a third person on account of the partnership by renouncing, in good faith, all participation in its future profits, and giving notice to such third person, and to his own co-partners, that he has made such renunciation, and that, so far as may be in his power, he dissolves the partnership, and does not intend to be liable on account thereof for the future. After a partner has given notice of his renunciation of the partnership he cannot claim any of its subsequent profits, and his co-partners may proceed to dissolve the partnership.

CHARACTER OF PARTNERSHIPS—Every partnership that is not formed in accordance with the law concerning special or mining partnerships, and every special partnership, so far only as the general partners are concerned, is a general partnership.

POWER OF PARTNERS—Unless otherwise expressly stipulated, a decision of the majority of the members of the general partnership binds it in the conduct of its business. Every general partner is agent for the partnership in the transaction of its business, and has authority to do whatever is necessary to carry on such business in the ordinary manner, and for this purpose may bind his co-partners by an agreement in writing.

LIABILITY OF PARTNERS TO THIRD PERSONS—Every general partner is liable to third persons for all the obligations of the partnership jointly with his co-partners. Anyone permitting himself to be represented as a partner, general or special, is liable as such to third persons to whom such representation is communicated, and who, on behalf thereof, give credit to the partnership.

DURATION OF PARTNERSHIP—If no term is prescribed by agreement for its duration, a general partnership continues until dissolved by a partner, or by operation of law.

TOTAL DISSOLUTION OF PARTNERSHIP—A general partnership is dissolved as to all partners: (1) By lapse of time prescribed by the agreement for its duration; (2) by the express will of any partner, if there is no such agreement; (3) by the death of a partner; (4) by the transfer to a person not a partner of the interest of any partner in the partnership property; (5) by war or the prohibition of commercial intercourse between the country in which one partner resides and that in which another resides; or, (6) by a judgment of dissolution.

FICTITIOUS NAME, DUTIES OF THOSE USING—Except in the case

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of a foreign, commercial, or banking partnership, every partnership transacting business in this state under a fictitious name, or a designation not showing the names of the persons interested as partners in such business, must file with the clerk of the county in which its principal place of business is situated, a certificate, stating the names in full of all the members of such partnership, and their places of residence, and publish the same once a week for four successive weeks, in a newspaper published in the county, if there be one, and if there be none in such county, then in a newspaper published in an adjoining county.

SPECIAL PARTNERSHIP—A special partnership may consist of one or more persons, called general partners, and one or more persons called special partners.

Persons desirous of forming a special partnership must severally sign a certificate stating: (1) the name under which the partnership is to be conducted; (2) the general nature of the business intended to be transacted; (3) the names of all the partners, and their residences, specifying which are general and which are special partners; (4) the amount of capital which each special partner has contributed to the common stock; (5) the periods at which such partnerships shall begin and end. Such certificates must be acknowledged by all the partners, one to be filed in the clerk's office, and the other recorded in the county recorder's office of the county in which the principal place of business of the partnership is situated; and if the partnership has places of business situated in different counties, a copy of the certificate, certified by the recorder in whose office it is recorded, must be filed in the clerk's office, and recorded in like manner in the county recorder's office in every such county.

MINING PARTNERSHIPS—A mining partnership exists when two or more persons who own or acquire a mining claim for the purpose of working it and extracting the mineral therefrom, are actually engaged in working the same. An express agreement to become partners, or to share the profits and losses of mining, is not necessary to the formation or existence of a mining partnership. The relation arises from the ownership of shares or interest in the mine, and working the same for the purpose of extracting the minerals therefrom. A member of a mining partnership shares in the profits and losses thereof in the proportion which the interest or share he owns in the mine bears to the whole partnership capital, or whole number of shares. Each member of a mining partnership has a lien on the partnership property for the debts due the creditors thereof, and for money advanced by him for its use. This lien exists, notwithstanding there is an agreement among the partners that it must not. The mining ground owned and worked by partners in mining, whether purchased with partnership funds or not, is partnership property. One of the partners in a mining partnership may convey his interest in the mine and business without dissolving the partnership. The purchaser, from the date of his purchase, becomes a member of the partnership. No member of a mining partnership, or other agent or manager thereof, can by a contract in writing, bind the partnership, except by the express authority derived from the members thereof. The decision of the members owning a majority of the shares or interest in a mining partnership bind it in the conduct of its business.

PHARMACIES.

PHARMACISTS MUST BE LICENSED—All pharmacies must be in charge of a person registered by the California state board of pharmacy. All pharmacies are inspected as to their conduct, purity of drugs sold, and competency of those in charge, by said board. All persons registered by the board must record their certificates in the office of the county clerk of the county in which they practice.

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OF
INCOME AND EXPENDITURES.

HOUSEHOLD REMEDIES MAY BE SOLD, WHEN—The pharmacy law provides that the following household remedies may be sold by general dealers, groceries, etc., when their place of business is more than three miles from the store of a registered pharmacist: Tincture of arnica, spirits of camphor, almond oil, distilled extract of witchhazel, paregoric, syrup of ipecac, syrup of rhubarb, hive syrup, sweet spirits of nitre, tincture of iron, epsom salts, Rochelle salts, senna leaves, carbonate of magnesia, seidlitz powders, quinine, cathartic pills, chamomile flowers, caraway seeds, chlorate of potash, moth balls, plasters, salves, ointments and peroxide of hydrogen, copperas, gum camphor, blue ointment, asafoetida, saffron, anise seed, saltpetre.

POISON—The sale of poison is regulated by a separate act which requires that all packages containing poison, when sold, must have upon them a distinctive label, and such label must also give the most available antidote for the poison in such package. The sale of poison must be recorded by the pharmacist in a poison book, and the signature of the purchaser secured before delivery of the poison. The sale of habit-forming and narcotic poisons is prohibited by law, except under very severe restrictions. Strong carbolic acid may be sold in original one-pound packages. Quantities less than one pound may be sold only when diluted.

ITINERANT VENDORS—The sale of drugs and nostrums by itinerant vendors (persons going from house to house, or selling on public streets) is regulated by an act commonly called the itinerant vendor law. This act requires that all itinerant vendors must secure a license from the state board of pharmacy, and pay the fee therefor.

PURE DRUGS—The purity of drugs is provided for by a law commonly called the pure drugs act. This is under the jurisdiction of the state board of health. This law has established certain standards for the purity of drugs and chemicals sold in the state.

HOURS OF LABOP FOR DRUG CLERKS—See Labor Laws.

PUBLIC UTILITIES ACT.

CONSTITUTIONAL PROVISIONS—The public utilities act, passed in accordance with the amendments to sections 22 and 23 of article 12 of the constitution (which amendment became effective October 10, 1911,) became effective March 23, 1912. These constitutional amendments provided, in effect, that the railroad commission might be given by the legislature, powers of regulation and supervision over commercial, interurban and street railroads, express corporations, gas corporations, water corporations, electric corporations, telephone and telegraph corporations, wharfingers and warehousemen, all of which companies were declared by the constitution to be public utilities when they furnished commodities or facilities, directly or indirectly, to the public. There was a proviso, however, which reserved to incorporated cities their powers of control over public utilities vested at the time the legislature should pass an act granting powers to the railroad commission over public utilities.

THE ACT ITSELF—The public utilities act first defines each of these companies, which are to be regarded as public utilities, and subject to the jurisdiction of the railroad commission. It then goes on to define the powers of regulation which shall be vested in the railroad commission, which powers may generally be divided into three heads: (1) Power to regulate rates; (2) power to regulate services; (3) powers to supervise the issuance of stocks, bonds and notes.

As to the first of these powers it is provided that every public utility shall file with the commission a schedule of the rates in effect on October 10, 1911, and that no increase in these rates can be made without the consent of the commission, which is given extensive power to investigate and

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DEPOSITS
SUBJECT TO CHECK.

prescribe the rates of all public utilities. As to service, the commission is given the right to require that extensions be made, that additional facilities be installed, and that service be in every way adequate to public needs. It is given the power to investigate and prescribe the rules and regulations under which services shall be rendered. It is given jurisdiction to investigate all accidents occurring in the operation of railroads or other public utilities, and to require the installation of safety appliances and facilities necessary for safe operation. Further, under the power to grant or deny applications by utilities for certificates of public convenience and necessity, to exercise franchises, or go into new territory, the commission controls the question of competition between public utilities.

Under the power to regulate the issuance of securities, the act provides that no public utility may issue any stocks, bonds or notes for a term in excess of one year without having obtained the consent of the commission. Under these powers the commission may completely control the finances of a public utility and prevent the issuance of ordered securities.

The act further provides the procedure which is to be followed in the exercise of these provisions. The commission is practically made the equivalent of a court. Any party who believes that he is aggrieved may file a formal complaint with the commission. The utility named as defendant is required to answer, whereupon a hearing is had, and the decision of the commission rendered. A proceeding which does not contemplate an adverse party, such as a request by a utility for authority to issue certificates, is made by the filing of a formal application, upon which a hearing is had, and the decision of the commission rendered. The commission is also given the right to institute, on its own initiative, investigation into the rates, service or practice of any public utility. The commission has power to establish a system of accounts to be kept by the public utilities, subject to its jurisdiction, or to classify said public utilities and to establish a system of accounts for each class, and to prescribe the manner in which such accounts shall be kept.

In addition to the formal proceedings above named, the commission may consider complaints which are presented to it informally. The act provides that the commission shall prescribe rules and procedure upon matters before it, and also that the technical rules of evidence shall not be controlling at commission hearings.

The commission has formulated rules of procedure which include forms for all kinds of pleadings before it. The act further provides that an appeal from the orders of the commission may be taken directly to the supreme court.

The Hewitt election act, adopted at the extra session of 1911, prescribes the procedure for elections by any municipality which desires to transfer its power of control to the railroad commission. This statute further provides a procedure whereby the municipality if it so desires, may later reinvest itself with the powers of control thus transferred.

RECALL OF ELECTIVE OFFICERS; See also Constitutional Provisions, Cities and Towns, Counties and Courts.

RECORDING.

Any instrument or judgment affecting the title to or possession of real property may be recorded. Judgments affecting the title to or possession of real property authenticated by the certificate of the clerk of the court in which such judgments were rendered, and notices of location of mining claims, may be recorded without acknowledgments, certificate of acknowledgment, or further proof. Letters patent from the United States, or from this state, may be recorded without acknowledgment. The private conveyance or grant transferring any interest in real property, or being a

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charge thereon, must be acknowledged. Where an instrument is properly recorded it is constructive notice of the contents thereof to subsequent purchasers and mortgagees.

EFFECT OF PRIOR RECORDATION OF CONVEYANCE—Every conveyance of real property other than a lease for a term not exceeding one year is void as against any subsequent purchaser or mortgagee of the same property, or any part thereof, in good faith, and for a valuable consideration, whose conveyance is first duly recorded, and as against any judgment affecting the title, unless such conveyance shall have been duly recorded prior to the record of notice of action. The term "conveyance" as here used embraces every instrument in writing by which an estate, or interest in real property, is created, aliened, mortgaged, or encumbered, or by which the title to any real property may be affected, except lease.

RECORDING OF CERTIFIED COPIES OF INSTRUMENTS ALREADY RECORDED—A certified copy of an instrument affecting the title to real property once recorded, or a certified copy of the record of such instrument, may be recorded in any other county, and when so recorded, the record thereof has the same force and effect as though it was of the original instrument, and where such original conveyance has been recorded in any county wherein the property therein mentioned is not situated, a certified copy of such recorded conveyance may be recorded in the county where such property is situated with the same force and effect as if the original conveyance had been recorded in said county.

REDEMPTION; See Also Mortgages.

RIGHT TO REDEEM, SUBROGATION—Every person having an interest in property subject to a lien has a right to redeem it from the lien at a time after the claim is due, and before his right to redeem is foreclosed, and by such redemption becomes subrogated to all the benefits of the lien as against all the owners of other interest in the property, except insofar as he was bound to make such redemption for their benefit.

REDEMPTION FROM LIEN, HOW MADE—Redemption from a lien is made by performing, or offering to perform, the act for the performance of which it is a security, and paying, or offering to pay, the damages, if any, to which the holder of the lien is entitled for delay.

WHEN SALES ARE ABSOLUTE, AND WHEN REDEEMABLE ON EXECUTION—On execution, sales of personal property and of real property, when the estate therein is less than a leasehold of two years' unexpired term, are absolute. In all other cases the property is subject to redemption.

WHO MAY REDEEM REAL PROPERTY SOLD ON EXECUTION—Property sold subject to redemption, or any part sold separately, may be redeemed by the following persons, or their successors in interest: (1) The judgment debtor, or his successor in interest in the whole or any part of the property; (2) a creditor having a lien by judgment or mortgage on the property sold, or on some share or part of it, subsequent to that on which the property was sold. The persons last mentioned are termed "redemptioners."

WHEN REDEMPTION MAY BE MADE—The judgment debtor or redemptioner may redeem the property from the purchaser any time within twelve months after the sale, on paying the purchaser the amount of his purchase, with 1% per month thereon in addition up to the time of redemption, together with the amount of any assessment or tax which the purchaser may have paid thereon after purchase, and interest on such amount, and if the purchaser be also a creditor, having a prior lien to that of the redemption thereof, the judgment under which said purchase was made to the amount of such lien, with interest.

If you make your payments by CHECK
You Have a Record
WHICH CANNOT BE DISPUTED.

RESIDENCE.

RULES FOR DETERMINING—Every person has in law a residence. In determining the place of residence the following rules are to be observed: (1) It is the place where one remains when not called elsewhere for labor or other special or temporary purpose, and to which he returns in seasons of repose; (2) there can only be one residence; (3) a residence cannot be lost until another is gained; (4) the residence of the father, during his life, and after his death, the residence of the mother, while she remains unmarried, is the residence of the unmarried minor child; (5) the residence of the husband is the residence of the wife; (6) the residence of an unmarried minor who has a parent living cannot be changed by either his own act or that of his guardian; (7) the residence can be changed only by the union of act and intent.

RULES FOR DETERMINING RESIDENCE UPON CHALLENGE DURING ELECTION—The board of election, in determining the place of residence of any person, as far as they are applicable, must be governed by the rules set forth in section 1239 of the political code.

REVENUE AND TAXATION.

The California tax system is founded under the provisions of article XIII of the constitution adopted in 1879, and since amended at intervals. The statutory law carrying into effect the constitutional provisions is found in sections 3600 to 3900 of the political code, and the following legislative enactments: Chapter 335, Stats. of 1911; chapters 6 and 320, statutes of 1913.

TAXATION FOR LOCAL PURPOSES—The law assumes that all property shall be assessed at full cash value, by a county assessor elected by the people every four years, which assessment must be completed between the first Monday in March and the first Monday in July following. The property must be assessed to the record owner, if his name appears of record; otherwise the assessment is made to unknown owners. The constitution provides that real estate and improvements thereon shall be separately assessed.

It is further provided that lands must be assessed in tracts not exceeding 640 acres.

Cultivated and uncultivated land of the same quality and similarly situated must be assessed at the same value. The constitution also provides that every taxpayer must send in a statement of his property to the assessor as of the first Monday of March.

BOARD OF EQUALIZATION—Local equalization of assessments is made by the county boards of supervisors sitting as boards of equalization. The state board of equalization has jurisdiction to equalize as between counties by raising or lowering the entire assessment roll. This power, however, is rendered about obsolete since separation of state revenues from local.

WHEN LIEN OF TAXES ACCRUES—Taxes have their lien against property as of the first Monday in March, and all property shall be assessed and valued as of that date.

TAXES, HOW PAYABLE—Taxes are payable in two installments, or the entire tax may be paid at the time of payment of the first installment. The first installment is payable the second Monday in October, and delinquent the last Monday in November, when 15% is added as penalty; and if not paid before the last Monday in April following, additional penalty of 5 per cent is added. The second installment is due in January and delinquent the last Monday in April, when 5 per cent is added as penalty. Delinquent list is published in June, and if tax is not paid, property is struck off to the state. The state holds property for five years and then takes

THE BEST
BUSINESS MEN DEPOSIT THEIR MONEY
IN A BANK.

deed. By amendment to the law in 1913 at expiration of five year period property is put up at auction and sold to highest bidder. This is the first year of the operation of the amendment.

REDEMPTION—Redemption may be made at any time of property sold to the state (except property sold at auction under said amendment) by paying all taxes due, plus interest and graduated penalties for each year delinquent. Any property deeded to the state for delinquent taxes is for sale. County tax collector advertises property under authorization and direction of state controller for three weeks and then sells to highest bidder.

TAXATION FOR STATE PURPOSES—The following subjects are taxes for state purposes: Taxes levied, assessed and collected as hereinafter provided upon railroads, including street railways, whether operated in one or more counties; sleeping car, dining car, drawing-room car and palace car companies, refrigerator, oil, stock, fruit, and other car-loaning and other car companies operating upon railroads in this state; companies doing express business on any railroad, steamboat, vessel or stage-line in this state; telegraph companies; telephone companies; companies engaged in the transmission or sale of gas or electricity; insurance companies, banks, banking associations, savings and loan societies, and trust companies; and taxes upon all franchises of every kind and nature, shall be entirely and exclusively for state purposes, and shall be levied, assessed and collected in the manner hereinafter provided. The word "companies" as used in this section shall include persons, partnerships, joint-stock associations, companies and corporations.

The tax is levied by taking a percentage of the gross receipts of the so-called public service utilities. Such percentages are as follows: On all railroad companies, including street railways, 4¾%; on all sleeping car, dining-car, drawing-room car, palace-car companies, refrigerator, oil, stock, fruit and other car-loaning, and other car companies, 4%; on all companies doing express business on any railroad, steamboat, vessel or stage line, 2%; on all telegraph and telephone companies, 4.2%; on all companies engaged in the transmission or sale of gas or electricity, 4.6%.

The tax is a property tax, and the percentage paid relieves such utilities from the payment of all other taxes and licenses, state, county and municipal, upon all property used exclusively in the conduct and operation of such business.

All banks, both state and national, are taxed 1% of the book value of their stock, less the assessed value of real estate as assessed for county purposes. Book value means the actual paid-in capital, plus the surplus and undivided profits.

Insurance companies are taxed 1¾% of their gross premiums, less return premiums and reinsurance.

Franchises of all kinds of corporations, both domestic and foreign (excepting, of course, the franchises of public service utilities above noted) are to be assessed and taxed at 1% of actual value for benefit of the state.

STATE BOARD OF EQUALIZATION—The state tax law is enforced by the state board of equalization, which annually prepares the necessary forms for reports. All reports must be filed with the board within ten days after the first Monday in March, with power in the state board to extend time for thirty days only.

Reports are quite extensive and contain a history of the operations of the company for the preceding calendar year. For the common or closed corporations the law requires, among other things, the capital stock authorized, subscribed and paid in, the market or appraised value thereof; the dividends paid for preceding five years; the surplus; the gross receipts or gross business for calendar year; the gross operating expenses; the assessed values and actual values of property.

For the public utility corporations it is required that there be given a

WE TRY TO PLEASE OUR CUSTOMERS

AND CAN PLEASE YOU.

history of the capital stock as above noted, with its values; inventory value of physical properties; a balance sheet showing operations within and without the state; a segregation of the intrastate from the interstate business. Public utilities doing an interstate business are taxed upon all business beginning and ending within the state, and a proportion based upon the proportion of mileage within this state to the entire mileage over which such business is done of receipts on all business passing through, into or out of this state.

The reports of the public utilities also contain a full list of all physical properties "used exclusively in the operation of their business" on which they claim exemption from local taxation. Copies of these reports made to the board are also filed with the local county and city assessors. The local assessors have the right, under the law, to object to any such "operative property" and in case the assessors and the company do not agree, then the state board finally determines the matter, with the right of appeal to the courts.

The law provides a severe penalty upon any company which fails to send in its report, or for any person sending in a false or fraudulent report.

The tax for state purposes follows generally the same course as the local tax. That is to say, the tax takes the lien on property as of the first Monday in March, and all companies and property are assessable as of that date.

The state board of equalization determines the assessment and tax between the first Monday in March and the first Monday in July. The board sits as a board of review, correction and equalization from about the middle of June until the first Monday in July. On the first Monday in July the assessment rolls are delivered to the controller for collection.

The tax is paid direct to the state treasurer, and the controller issues the receipt. The tax is divided into two installments, the first of which is payable within six weeks after the first Monday in July, and is then delinquent. The second installment is payable any time before the first Monday in February, at which time both installments become delinquent. The same penalties for delinquency are added as obtains to the county taxes.

If full amount of taxes and penalties is not paid on or before Saturday preceding the first Monday in March, by operation of law and declaration of the governor the charter of a domestic corporation is forfeited, and the right to do business of the foreign corporation is forfeited. The law also provides for suit by the attorney-general in the name of the controller, to recover the taxes and penalties, and a penalty of not less than $25, nor more than $100 for each day a company violates the law by continuing to do business after forfeiture of its charter, aforesaid. Any such corporation may revive its charter or revive its right to do business upon payment of all taxes and penalties due.

The constitution provides that no state taxpayer shall have any standing in court, that is, no injunction or restraining order shall issue until the taxes have been paid in full. After payment suit will be against the state to recover. In case an assessment is judicially declared invalid, there may be a reassessment, which takes the same procedure as an original assessment.

IN CASE TAXES NOT SUFFICIENT FOR STATE PURPOSES—The constitution provides that in case the taxes provided for under this separation law (together with other resources of the state) shall be insufficient for the maintenance of the state government, then and in that event the state board is empowered to levy an ad valorem deficiency tax to meet such deficiency. In such case all property in the state, including the exempted properties of the public utilities, is called upon to bear its proper proportion of such deficiency tax.

A BANK ACCOUNT
IS A GREAT AID
IN SAVING MONEY.

WHEN EXEMPT PROPERTIES OF PUBLIC UTILITIES LIABLE—The constitution also provides that the property of public utilities, known as the exempt properties, should also be liable for the payment of interest and redemption of all public bonds—state, county and municipal—which were outstanding on November 8, 1910, when separation took place. But the state's taxpayers do not individually pay such bond taxes; they cover into the state treasury the full amount due as computed by the proper percentages and from this amount the state reimburses the bonded district.

CHANGE OF RATES OF PUBLIC UTILITIES: HOW MADE—The constitution also provides that the rates or percentages to be paid by the public utilities may be changed by the legislature on a vote of two-thirds majority in each house. (The only change made so far was by the legislature in 1913. See Chap. 6, Stats. 1913.)

REPORTS OF CORPORATIONS' SECRETS—All reports made to the state board of equalization by the common or closed corporations, upon which are based the assessments of franchises, are absolutely secret, the law making it a felony for any member or employee of the state board, or of the controller, to divulge any information contained therein. The reports of all public utilities, banks and insurance companies are public.

SALES.

DEFINITION—A sale is a contract by which, for a pecuniary consideration, called a price, one transfers to another an interest in property.

AGREEMENT FOR SALE—An agreement for sale is either an agreement to sell, an agreement to buy, or a mutual agreement to buy and sell. An agreement to sell is a contract by which one engages for a price, to transfer to another the title to a certain thing. An agreement to buy is a contract by which one engages to accept from another, and pay a price, for the title to a certain thing. An agreement to buy and sell is a contract by which one engages to transfer the title to a certain thing to another, who engages to accept the same from him and to pay a price therefor.

AGREEMENT TO SELL REAL PROPERTY—An agreement to sell real property binds the seller to execute a conveyance in form sufficient to pass the title to the property, and an agreement on the part of the seller of real property to give the usual covenants binds him to insert in the grant covenants of "seisin," "quite enjoyment," "further assurance," "general warranty," and "against encumbrance."

CONTRACT FOR SALE OF PERSONAL PROPERTY—No sale of personal property, or agreement to buy or sell it for a price of $200 or more, is valid, unless: (1) The agreement, or some note or memorandum thereof, be in writing, and subscribed by the party to be charged, or by his agent; or (2) the buyer accepts and receives part of the thing sold, or, when it consists of a thing in action, part of the evidences thereof, or some of them; or (3) the buyer, at the time of sale, pays a part of the price. The above rule does not include an agreement to manufacture a thing from materials furnished by the manufacturer, or by another person.

CONTRACT FOR SALE OF REAL PROPERTY—No agreement for the sale of real property, or of an interest therein, is valid unless the same, or some note or memorandum thereof, be in writing, and subscribed by the party to be charged, or his agent thereunto authorized in writing. But the court may compel the specific performance of any agreement for the sale of real property in case of part of the performance thereof.

WHEN SELLER MUST ACT AS DEPOSITARY—After personal property has been sold, and until the delivery is completed, the seller has the rights and obligations of a depositary for hire, except that he must keep the property without charge until the buyer has had a reasonable opportunity to remove it.

BANK DRAFTS
ARE BETTER AND CHEAPER THAN EXPRESS OR
POST OFFICE MONEY ORDERS.

WHEN SELLER MAY RESCIND SALE OR ENFORCE LIEN—If a buyer of personal property does not pay for it, according to contract, and it remains in the possession of the seller after payment is due, the seller may rescind the sale and enforce his lien for the price in the manner prescribed by law concerning liens.

DELIVERY ON DEMAND—One who sells personal property, whether it was in his possession at the time of sale or not, must put it into a condition fit for delivery, and deliver it to the buyer within a reasonable time after demand, unless he has a lien thereon. Personal property sold is deliverable at the place where it is at the time of the sale, or agreement to sell, or, if it is not then in existence, it is deliverable at the place where it is produced.

WARRANTY OF TITLE TO PERSONAL PROPERTY—One who sells, or agrees to sell, personal property as his own, thereby warrants that he has a good and unencumbered title thereto, and one who sells, or agrees to sell, goods by sample, thereby warrants the bulk to be equal to the sample. And one who sells or agrees to sell merchandise inaccessible to the examination of the buyer, thereby warrants that it is sound and merchantable. A general warranty does not extend to defects inconsistent therewith of which the buyer was then aware or which were then easily discernible by him without the exercise of peculiar skill, but it extends to all other defects.

AUCTION—A sale by auction is a sale by public outcry to the highest bidder on the spot. A sale by auction is complete when the auctioneer publicly announces, by the fall of his hammer, or in any other customary manner, that the thing is sold, and until such announcement, any bidder may withdraw his bid, if he does so in a manner reasonably sufficient to bring it to the notice of the auctioneer.

AUCTIONEER'S MEMORANDUM OF SALE—When the property is sold by auction, an entry made by the auctioneer in his salebook at the time of the sale, specifying the name of the person for whom he sells, the thing sold, the price, the terms of sale, and the name of the buyer, binds both the parties in the same manner as if made by themselves.

STATE DEPARTMENT OF ENGINEERING.

A law which created a state department of engineering was passed in 1911 by the legislature. This law provides that all matters of road construction shall come under the control of this department, which consists of an advisory board composed of the governor as a member and ex-officio chairman, the state engineer, the general superintendent of the state hospital, the chairman of the state board of harbor commissioners of San Francisco, and three members appointed by the governor. The department, by and through the chairman of the advisory board, has the power to appoint a highway engineer and superintendent. It has charge of all funds appropriated by the state for highway purposes, and of all state roads built, or being built, at the time the law was passed, and with those to be built with the proceeds of an $18,000,000 bond issue which was authorized in 1909. The maintenance of the state highway system is paid for from the returns from the "motor vehicle act" of California, which provides for graduated fees for the registration of motor vehicles upon a horse-power basis.

LOCAL ROAD WORK—Local road work is controlled by county supervisors, five in each county, elected by vote of the people in November of even years, for a term of four years. The people elect a county surveyor, who makes such surveys of county roads and performs such other engineering work as the board of supervisors of the county may direct. Taxes, levied by the supervisors, are paid in cash. Provision is made by

READ
"LAWS AND FACTS CONCERNING BANKS AND BANKING"
ON FOURTH PAGE OF READING MATTER.

statute for the issuing of bonds, and for the permanent improvement of main public highways in a county, under the immediate direction of a county highway commission, consisting of three members appointed by the board of supervisors, who, with the consent of the board of supervisors, may hire necessary engineers and other assistants and perform work either on a contract or day's labor basis, and do everything necessary and proper in the construction of such main public highway system.

STATE PUBLIC LANDS.

A citizen of the United States, or one who has declared his intention to become such, a resident of this state, of lawful age, is qualified to purchase lands belonging to the state.

School lands are withdrawn from sale, but must be sold at $2.50 per acre on or after September 1, 1915.

Applications to purchase school lands must be accompanied with a $5 filing fee and $20 deposit. All other applications for state lands require only a $5 filing fee.

Swamp and overflowed and salt marsh lands are sold at the rate of $1 per acre, and if said lands are reclaimed by the purchaser, or $2 per acre is expended towards reclamation, said purchaser is entitled to a return of the money paid for said land.

Lake lands are sold at the rate of $2.50 per acre, and are subject to reclamation under the swamp and overflowed land laws.

No application can be approved before ninety days from date of filing, but it must be approved at the expiration of six months, if it appears to the supervisor-general, upon examination of the applicant, that his statements contained in the application are true.

Payments for all state lands are 20 per cent of the principal, or cash, within fifty days of the date of approval of the applicantion to purchase, and the balance, bearing interest at the rate of 7 per cent per annum, payable in advance on January 1 of each year, except that timber lands must be sold for cash.

Lands suitable for cultivation are only sold to actual settlers, not to exceed 320 acres to one person.

Lands unsuitable for cultivation, not to exceed 640, are sold to one person.

Indemnity certificates or scrip are sold at public auction for cash in the surveyor-general's office at Sacramento, to the highest bidder. (The sale of scrip is indefinitely postponed.)

The purchaser of state lands, on payment of 20 per cent of purchase price, or the full purchase price, receives a certificate of purchase, which is prima facie evidence of title, and said certificate of purchase, and all rights acquired thereunder, are subject to sale by deed or assignment.

Patents for state lands are issued in the name of the original applicant. The patent so issued insures to the benefit of the assignees, grantees, or successors in interest of said original applicant.

Tide lands, which include the shore or any part thereof, or the bed or any part thereof, of the ocean or of any navigable channel or stream or bay or inlet within the state, between ordinary high and low water mark and all such lands over which the ordinary tide ebbs and flows, are withheld from sale.

Any false statement contained in an affidavit to purchase state land defeats the right of an applicant to receive any evidence of title thereto.

Applications to purchase state lands are subject to contest within five years from and after issuance of certificate of purchase, but prior to the issuance of the patent.

When state lands upon which the full purchase price has not been paid,

WE REGARD ALL BUSINESS TRANSACTIONS
AS
STRICTLY CONFIDENTIAL.

have been sold to the state for delinquent taxes, same can be redeemed under the provisions of section 3788 of the political code, if not included in national reservations.

Land sold by the state for which no patent has been issued, shall be assessed the same as other land, but the owner shall be entitled to a deduction from such assessed valuation in the amount due the state as principal upon the purchase price.

School lands in national forests are withheld from sale.

No patent must issue until after the expiration of one year from date of approval of location by the surveyor-general, nor until the lands are relinquished to the state by authority of the U. S. general land office at Washington, D. C.

STATUTE OF LIMITATIONS.

SEISIN IN FIVE YEARS, IN RECOVERY OF REAL ESTATE—No action for the recovery of real property, or for the recovery of the possession thereof can be maintained unless it appears that the plaintiff, his ancestors, predecessors or grantor was seized or possessed of the property in question within five years before the commencement of the action.

PERIODS OF LIMITATION PRESCRIBED IN OTHER CASES—The periods prescribed for the commencement of actions other than for the recovery of real property are as follows: Within five years: (1) An action upon a judgment or decree of any court of the United States, or of any state within the United States; (2) an action for the mesne profits of real property.

Within four Years: (1) An action upon any contract, obligation or liability founded upon an instrument in writing executed within this state; (2) an action to recover a balance due upon a mutual, open and current account, or upon an open book account.

Within three years: (1) An action upon a liability created by a statute other than a penalty or forfeiture; (2) an action for trespass upon real property; (3) an action for taking, detaining or injuring any goods or chattels, including actions for the specific recovery of personal property; (4) an action for relief on the ground of fraud or mistake. The cause of action in such case not to be deemed to have accrued until the discovery by the aggrieved party of the facts constituting the fraud or mistake.

Within two years: (1) An action upon a contract, obligation or liability not founded upon an instrument of writing, other than to recover a balance due upon a mutual, open and current account, or upon an open book account; or an action founded upon an instrument of writing executed out of the state; or an action founded upon a contract, obligation or liability evidenced by a certificate or abstract or guaranty of title of real property, or by a policy of title insurance; provided, that the cause of action upon a contract, obligation or liability evidenced by a certificate or abstract or a guaranty of title of real property, or policy of title insurance, shall not be deemed to have accrued until the discovery of the loss or damage suffered by the aggrieved party thereunder; (2) an action against a sheriff, coroner or constable upon a liability incurred by the doing of an act in his official capacity, and in virtue of his office, or by the omission of an official duty, including the non-payment of money collected upon an execution. But this provision shall not apply to an action for an escape.

Within one year: (1) An action upon a statute for a penalty or forfeiture when the action is given to an individual or to an individual and the state, except when the statute imposing it prescribes a different limitation; (2) an action upon a statute or upon an undertaking in a criminal action for a forfeiture or penalty to the people of this state; (3)

WE LOAN MONEY
On the Most Favorable Terms
Consistent With Sound Banking.

an action for libel, slander, assault, battery, false imprisonment, seduction, or for injury to or for the death of one caused by the wrongful act or neglect of another, or by a depositor against a bank for the payment of a forged or raised check; (4) an action against a sheriff or other officer for the escape of a prisoner arrested or imprisoned on civil process; (5) an action against a municipal corporation for damages or injuries to property caused by a mob or riot.

Within six months: An action against an officer or officer de facto: (1) To recover any goods, wares, merchandise or other property seized by any state officer in his official capacity as tax collector, or to recover the price or value of any goods, wares, merchandise or other personal property so seized or for damages for the seizure, detention, sale of, or injury to, any goods, wares, merchandise, or other personal property seized, or for damages done to any person or property in making any such seizure; (2) to recover stock sold for a delinquent assessment.

Action on claims against a county which have been rejected by the board of supervisors must be commenced within six months after the first rejection thereof by such board.

An action for relief not provided for in above provisions must be commenced within four years after the cause of action shall have accrued.

In an action brought to recover a balance upon a mutual, open and current account, where there have been reciprocal demands upon the parties, the cause of action is deemed to have accrued from the time of the last item proved in the account on either side.

The limitations above prescribed apply to actions brought in the name of the state, or for the benefit of the state, in the same manner as to actions for private parties, except that actions for the recovery of money due on account of the presence of patients at the state hospitals may be commenced at any time within three years after the accrual of the same.

An action to redeem a mortgage of real property with or without an account of rents and profits may be brought by the guarantor, or those claiming under him, against the mortgagee in possession, or those claiming under him, unless he or they have continuously maintained an adverse possesion of the mortgaged premises for five years after breach of some condition of the mortgage.

To actions brought to recover money, or other property, deposited with any bank, banker or trust company, or savings and loan society, there is no limitation.

WATER RIGHTS.

HOW RIGHTS TO WATER MAY BE ACQUIRED UNDER STATE STATUTE—All water, or the use of water, within this state is the property of the people of this state, but the right to the use of running water flowing in a river or stream, or down a canyon or ravine may be acquired by appropriation in the manner provided by law, but no water for generation of electricity or electrical or other power may be appropriated for a longer period than twenty-five years, except by a municipal corporation, other than an irrigation district, or a lighting district, or by an irrigation district when such electricity, electrical or other power is for use and distribution only within its own limits, and as subsidiary to and mainly for the purpose of serving and carrying out irrigation; or by a lighting district, when such electricity, electrical or other power is for use and distribution only within its own limits.

USE OF WATER FLOWING OUT OF THE STATE—The entire flow of water in any natural stream which carries water from this state into any other state is subject to use in this state under the laws of this state, and the right may be, so far as not already acquired by use in this state,

WE GIVE PROMPT ATTENTION
TO
COLLECTIONS.

acquired and held under the laws of this state. The rights to the use of said water held under the laws of this state shall be prior and superior to any rights to the waters of such streams held under the laws of any other state.

APPROPRIATION MUST BE FOR A USEFUL PURPOSE—The appropriation must be for some useful or beneficial purpose, and when the appropriator, or his successor in interest, ceases to use it for such purpose, the right ceases.

POINT OF DIVERSION—The person entitled to the use may change the place of diversion, if others are not injured by such change, and may extend the ditch, flume, pipe, or aqueduct by which the diversion is made to a place beyond that where the first use was made.

WATER MAY BE TURNED INTO NATURAL CHANNELS—The water appropriated may be turned into the channel of another stream, and mingled with its water, and then reclaimed, but in reclaiming it the water already appropriated by another must not be diminished.

FIRST IN TIME, FIRST IN RIGHT—As between appropriators, the first in time is the first in right.

NOTICE OF APPROPRIATION—A person desiring to appropriate water must post a notice in writing in a conspicuous place, at the place of the intended diversion, stating therein: (1) That he claims the water therein flowing to the extent of (giving the number) inches, measured under a four-inch pressure; (2) the purpose for which he claims it, and the place of intended use; (3) the means by which he intends to divert it, and the size of the flume, ditch, pipe or aqueduct in which he intends to divert it. A copy of the notice must, within ten days after it is posted, be recorded in the office of the recorder of the county in which it is posted. After filing such copy for record, the place of intended diversion, or the place of intended use, or the means by which it is intended to divert the water, may be changed by the person posting said notice, or his assigns, if others are not injured by such change. This provison applies to notices already filed, as well as to notices hereafter filed.

WORK TO BE DONE IN APPROPRIATION OF WATERS—Within sixty days after the notice is posted, the claimant must commence the excavation or construction of the works in which he intends to divert the water, or the survey, road or trail building necessarily incident thereto, and must prosecute the work diligently and uninterruptedly to completion, unless temporarily interrupted by snows or rain; but if the erection of a dam has been recommended by the California debris commission at or near the place where it is intended to divert the water, the claimant shall have sixty days after the completion of such dam in which to commence the excavation or construction of the works in which he intends to divert the water; provided, that whenever any city and county, or incorporated city or town, within this state, makes, or has made, or acquires, or has acquired, any appropriation of any of the waters of this state, in accordance with the provisions of the state law, it shall not be necessary for such city and county, city or town, to commence the work for development of more of the water so claimed than is actually necessary for the immediate needs of such city and county, city or town, and it shall be held to be a sufficient compliance with the requirements of the law to the full amount of water stated in the notice posted and recorded for such city and county, city or town, to, within sixty days, make the necessary surveys, or, within six months, to authorize the issuance of municipal bonds for the construction of the necessary work, designed to supply said city and county, city or town, with the water required for immediate use. Any appropriation heretofore made by any such city and county, city or town, in connection with which surveys were at any time made, or an issue of bonds authorized, for the construction of any por-

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OF
A SOLID, WELL EQUIPPED BANK.

tion of the works necessary for the diversion of any part of the water appropriated, is, by the statute, conforming to the full amount of water stated in the original notice or notices.

COMPLETION DEFINED—By "completion" is meant conducting waters to the place of intended use.

DOCTRINE OF RELATION APPLIED—By a compliance with the above rules, the claimant's right to the use of water relates back to the time the notice was posted.

FORFEITURE—A failure to comply with the above rules deprives the claimant of the right to the use of the water as against a subsequent claimant who complies therewith.

TIME WITHIN WHICH TO COMMENCE EXCAVATION ON PUBLIC RESERVATION—If the place of intended diversion, or any part of the route of intended conveyance of water so claimed be within, and a part of any national park, forest reservation, or other public reservation, and be so shown in the notice of appropriation of said water, then the claimant shall have sixty days after the grant of authority to occupy and use such park or reservation for such intended purpose, within which to commence the excavation or construction of said works; provided, that within sixty days from the posting of said notice of appropriation above mentioned the claimant shall, in good faith, commence (and thereafter deligently and continuously, except when temporarily interrupted by snow or rain) prosecute to completion such surveys and other work as under the regulations governing such park or reservations may be required as preliminary to, or for use with, an application for such authority; and provided, also, that the claimant shall, in good faith, on completion of said survey and preliminary work, apply to the officer, board or body having charge of such park or reservation for such authority, and shall thereafter prosecute said application with reasonable diligence.

(Note.—The above is a digest of the provisions of the state law, and not of federal law, or the decisions founded thereon.)

WEIGHTS AND MEASURES.

The weights and measures act of 1913 created the office of superintendent of weights and measures. Term of office, four years; subject to removal at the pleasure of the governor. He may appoint a deputy with the same powers as himself. He has the custody of the standards of weights and measures received from the United States under resolution of congress approved June 14, 1836, and of all new weights and measures received as standard from the same source. These shall be the state standards.

SUPERINTENDENT OF WEIGHTS AND MEASURES—The state superintendent of weights and measures may establish tolerances for use in this state similar to those established by the national bureau of standards. He shall inspect and correct the standards used by each county, city, town, and incorporated city and county of the state, and shall have general supervision of the weights and measures and weighing devices offered for sale, sold or in use in the state. He or his deputy shall, at least once annually, test the scales, weights and measures used in checking the receipt and disbursement of supplies in every institution conducted by the state, and shall report in writing his findings to the executive officer of the institution concerned, and to the state board of control. He or his deputy shall, at least once in two years, visit the various cities and counties of the state and inspect the work of the local sealers of weights and measures, and in so doing, may inspect the weights, measures, balances, or any other weighing or measuring devices of any

MONEY
DEPOSITED WITH US
IS BEYOND THE REACH OF HOUSEBREAKERS.

person, firm or corporation, with the same powers as sealers of weights and measures.

SEALERS OF WEIGHTS AND MEASURES—The legislative body of each county, city and county, city, or town, may appoint a sealer of weights and measures, fix his compensation, and provide for the appointment by him of such number of deputies as it may deem necessary and expedient. Term, four years. Sealer subject to removal by appointing power; deputies subject to removal by sealer. No weight, scale, beam, measure of any kind, instrument or mechanical device for weighing or measurement, nor tools, appliances or accessories connected with any or all of such instruments or measures shall be used, kept for use, sold, offered for sale, or kept for sale, in any county, city, town or city and county, in which there has been a sealer appointed for three months, unless the same shall have been sealed and tested. Inspection must be made at least once a year. Complete provisions are made for the selling of certain instruments subject to inspection, for devices which must be assembled before use, for testing upon request of resident or firm, for marking weights and measures "out of order," together with penalties for possessing or using false weights and measures.

A sealer may, in the performance of his duty, without formal warrant, enter or go into or upon any stand, place, building or premises, or stop any vendor, peddler, junk dealer, driver of a coal wagon, ice wagon, or delivery wagon, or the driver of any wagon containing commodities for sale or delivery and, if necessary, require him to proceed to some place which the sealer may specify, for the purpose of making the proper tests.

NET CONTAINER ACT—The net container act went into effect April 1, 1914. The provisions of the act apply to food stuffs, and stuffs intended to be used or prepared for use as food for human beings, except when solely for medical purposes, and whenever such commodities are sold, or exposed for sale, in containers, the net quantity of the contents of the container shall be plainly and conspicuously marked, branded or otherwise indicated on the outside or top thereof, or on a label or tag attached thereto, and the designation shall be according to weight, measure, or numerical count, subject to the following provisions: (a) The designation used shall be such as is most feasible and suitable to the character of the commodity, or, if there is a trade custom, the designation shall be in accordance with the custom; (b) if the designation is by weight, it shall be in terms of pounds, ounces, or fractions of either, avoirdupois; (c) if the designation is by liquid measure, it shall be in terms of gallons, quarts, pints, or fractions of any of said units; (d) if the designation be solid measure, it shall be in terms of bushels, pecks, or quarts, or fractions of any of said units; (e) if the designation is by numerical count, it shall be in English words, or Arabic numerals. The words "net contents," or "net weight," or "net measure," or "net count," shall appear with, and as a part of the designation of quantity. The provisions of the act do not apply: (a) When the sale is made from bulk, and the quantity is weighed, measured or counted for the immediate purpose of such sale; (b) to a sale of any container of an ornamental or symbolic character with which a quantity of some commodity is sold as merely incidental; (c) to a sale of a commodity in a quantity that is sold for less than eleven cents, at retail.

WILLS.

WHO MAY MAKE A WILL—Every person over the age of eighteen years, of sound mind, may, by last will, dispose of all his estate, chargeable, however, with the payment of all the decedent's debts.

WILL, OR PART THEREOF, PROCURED BY FRAUD—A will, or

WE ACCORD CAREFUL CONSIDERATION
TO
SMALL OR LARGE DEPOSITORS.

part thereof, procured to be made by duress, menace, fraud, or undue influence, may be denied probate; and a revocation procured by the same means may be declared void.

WILL OF MARRIED WOMAN—A married woman may dispose of all her separate estate by will, without the consent of her husband and may alter or revoke the will in like manner as if she were single. Her will must be executed and proved in like manner as other wills.

COMMUNITY PROPERTY CANNOT BE DISPOSED OF BY HUSBAND—Every estate and interest in real or personal property to which heirs, husband, widow, or next of kin, succeed may be disposed of by will, except that the husband cannot dispose of the wife's share of the community property.

WRITTEN WILL; HOW TO BE EXECUTED—Every will, other than a nuncupative will, must be in writing; and every will, other than an olographic will and a nuncupative will, must be executed and attested as follows: (1) It must be subscribed at the end thereof by the testator himself, or some person in his presence, and by his direction must subscribe his name thereto; (2) the subscription must be made in the presence of the attesting witnesses, or be acknowledged by the testator to them to have been made by him or by his authority; (3) the testator must, at the time of subscribing or acknowledging the same, declare to the attesting witnesses that the instrument is his will; and (4) there must be two attesting witnesses, each of whom must sign the same as a witness at the end of the will at the testator's request, and in his presence.

OLOGRAPHIC WILL—An olographic will is one that is entirely written, dated and signed by the hand of the testator himself. It is subject to no other form, and may be made in or out of this state, and need not be witnessed. There must not be any printed words or figures whatever as a part of such will.

MUTUAL WILL—A conjoint or mutual will is valid, but it may be revoked by any of the testators in like manner with any other will.

GIFTS TO SUBSCRIBING WITNESSES VOID—All beneficial devices, legacies and gifts whatever made or given in any will to a subscribing witness thereto, are void unless there are two other competent subscribing witnesses to the same; but a mere charge on the estate of a testator for the payment of debts does not prevent his creditors from being competent witnesses to his will.

WILL MADE OUT OF STATE—No will made out of this state is valid as a will in this state unless executed according to the provisions of the chapter of the civil code concerning wills. Except that a will made in a state or country in which the testator is domiciled at the time of his death, and valid as a will under the laws of said state or country, is valid in this state so far as the same relates to personal property subject to the restriction hereafter set forth on bequests and devices for charitable uses.

WILLS WRITTEN IN OTHER STATES—All wills duly proved and allowed in any other of the United States, or in any foreign country or state, may be allowed and recorded in the superior court of any county in which the testator shall have left any estate, or shall have been a resident at the time of his death.

CODICIL—The execution of a codicil referring to a previous will has the effect to re-publish the will as modified by the codicil.

NUNCUPATIVE WILL—A nuncupative will is not required to be in writing, nor to be declared or attested with any formalities. To make a nuncuperative will valid, and to entitle it to be admitted to probate, the following requisites must be observed: (1) The estate bequeathed must not exceed in value the sum of $1,000; (2) it must be proved by two witnesses who were present at the making thereof, one of whom was

WE INVITE NEW ACCOUNTS
Upon Our Merits For
STRENGTH AND SAFETY.

asked by the testator, at the time, to bear witness that such was his will or to that effect; (3) the decedent must, at the time, have been in actual military service in the field, or doing duty on ship or at sea, and in either case, in actual contemplation, fear or peril of death, or the decedent must have been at the time in expectation of immediate death from an injury received the same day.

WRITTEN WILL, HOW REVOKED—With certain exceptions, no written will, nor any part thereof, can be revoked or altered otherwise than: (1) By a written will or other writing of the testator declaring such revocation or alteration, and executed with the same formalities with which a will should be executed by such testator; or (2) by being burnt, torn, cancelled, obliterated or destroyed, with the intent, and for the purpose of revoking the same by the testator himself, or by some person in his presence and by his direction.

REVOCATION BY MARRIAGE AND BIRTH OF ISSUE—If, after having made a will, the testator marries, and has issue of such marriage, born either in his lifetime, or after death, and the wife or issue survives him, the will is revoked, unless provision has been made for such issue by some settlement, or unless such issues are provided for in the will, or in such way mentioned therein as to show an intention not to make such provision; and no other evidence to rebut the presumption of such revocation can be received.

EFFECT OF MARRIAGE OF A MAN ON HIS WILL—If, after making a will, the testator marries, and the wife survives the testator, the will is revoked, unless provision has been made for her by marriage contract, or unless she is provided for in the will, or in such way mentioned therein as to show an intention not to make such provision; and no other evidence to rebut the presumption of revocation must be received.

EFFECT OF MARRIAGE OF A WOMAN ON HER WILL—A will executed by a woman is revoked by her subsequent marriage, and is not revived by the death of her husband.

REVOCATION OF CODICIL—The revocation of a will revokes all its codicils.

CHILDREN NOT PROVIDED FOR IN WILL—When any testator omits to provide in his will for any of his children, or for the issue of any deceased child, unless it appears that such omission was intentional, such child, or the issue of such deceased child, has the same share in the estate of the testator as if he had died intestate; but if such children, or their descendants so unprovided for, had an equal proportion of the testator's estate bestowed on them in the testator's lifetime by way of advancement, they take nothing by virtue of this provision.

RESTRICTION FOR CHARITABLE DEVISES AND BEQUESTS—No estate, real or personal, shall be bequeathed or devised to any charitable or benevolent society or corporation, or to any person or persons in trust for charitable uses, except the same be done by will duly executed at least thirty days before the decease of the testator; but no such devises or bequests shall collectively exceed one-third of the estate of the testator, leaving legal heirs, and in such case a pro rata deduction from such devises or bequests shall be made so as to reduce the aggregate thereof to one-third of such estate.

WORKMEN'S COMPENSATION, INSURANCE AND SAFETY ACT.

WHAT THE ACT IS—This act became effective January 1, 1914. The term "compensation," as applied to such acts, must be understood to mean a limited insurance of workmen, paid for by employers, the

A BANK ACCOUNT IS A VALUABLE RECORD
OF
INCOME AND EXPENDITURES.

premium cost being chargeable into the cost of doing business and the benefit being limited to an amount which, on the average of human experience, is found requisite to enable injured workmen, and those dependent upon them, to tide over their periods of adversity consequent upon injury until they can become again self-sustaining without, meantime, becoming objects of public or private charity.

ITS ADMINISTRATION—The act is administered by a commission of three members appointed by the governor for terms of two, three and four years severally.

Its powers are, in general terms: To determine controversies between employers and employees as to the nature and extent of injuries, duration of disability therefrom, the amount of compensation payable, who are dependents and the extent of such dependency, appoint referees to hold hearings or determine specific issues of fact, fix attorney fees and cost of medical and hospital treatment; to organize and maintain a department of statistics relating to accidents, a state compensation insurance fund, a department of safety and museums of safety devices; to adopt rules of procedure, and to regulate and prescribe the nature and extent of proofs and evidence, and to defend its awards when appealed from to courts of competent jurisdiction.

JURISDICTION—The act is compulsory as to all employers of labor, and to all employees except as to those engaged in casual labor, not in the usual course of the occupation of the employer, and persons engaged in farm, dairy, agricultural, viticultural, or horticultural labor, in stock or poultry raising, or in household domestic service, and elective as to these excluded classes of employees; but compensation is not payable in any case unless the injury complained of is caused by accident arising out of and happening in the course of the industry and while the injured employee was performing service growing out of, incidental to, and in the course of, the employment, and was not caused by his intoxication or wilful misconduct.

COMPENSATION—Compensation is payable only when the injury results in disability, and disabilities are divided into "temporary" and "permanent."

Compensation for temporary disabilities are payable, after a waiting period of two weeks, if total, at the rate of 65 per cent of the average weekly wage, while the disability continues total, and, thereafter, 65 per cent of the weekly loss in wages resulting from such partial disability until cured.

Compensations for permanent disabilities are payable at the rate of 65 per cent of the average weekly wage for a definite number of weeks computed with regard to the percentage of impairment of the efficiency of the physical machine, having due regard to the adaptability of the injured employee to his changed condition as influenced by ages between fifteen and seventy-five years, and with reference to the physical requirements of injured members in over 600 different occupations. The problem is worked out in schedule form so that age, occupation, the nature and extent of the injury, and the wage being given, the percentage of disability in any case or permanent disability, and the compensation payable, can be determined in accordance with the best established world experience.

If the percentage of impaired of the physical body equals or exceeds 70 per cent of total the injured person receives 65 per cent of his wages for 240 weeks, and, thereafter, during the remainder of his life, one per cent of such weekly earnings for each one per cent of permanent disability in excess of 60 per cent.

Compensation also includes medical, hospital, surgical and other treatment necessary to cure and relieve the injured employee, as far as possible, from the effects of his injuries for a period of 90 days, if required, from

WE RECEIVE
DEPOSITS
SUBJECT TO CHECK.

date of injury, such services to be furnished according to a schedule of minimum prices fixed by the commission.

PROCEDURES—The "hearings" conducted by the commission are informal. They are not court trials, but inquiries and investigations conducted chiefly by the member of the commission, or referee, holding such hearings. Anything that will throw light on the issue is admitted as evidence and inspections are made, and testimony taken, when necessary or convenient, without the attendance of the parties, transcripts of such testimony so taken being served upon the absent parties before decisions are rendered.

REHEARINGS—The decisions of the commission are conclusive as to questions of fact, but rehearings are allowed, if justice requires, if it can be shown, that the commission acted in excess of its powers, that the award was obtained by fraud, that the evidence did not justify the findings of fact, that new evidence has been discovered, that the findings of fact do not support the award. No appeal can be taken until such rehearing is had or denied. Such rehearing does not amount to a new trial, but only to a reconsideration of disputed points.

PROCEEDINGS IN REVIEW—The party aggrieved may appeal to the supreme court or district courts of appeal to review any decision of the commission to consider whether or not the commission acted in excess of its powers, whether the award was procured by fraud, if the order, decision, rule or regulation (not award of compensation) is unreasonable. whether or not the findings of fact support the award.

STATE COMPENSATION INSURANCE FUND—This is an insurance company organized by the commissioners as a board of directors for the purpose of regulating, by fair competition, the rates and practices of other insurance companies.

DEPARTMENT OF SAFETY—The commission is empowered to organize, and has organized, a department of safety, with a trained safety engineer at its head, and a number of specialist engineers, inspectors and clerks under him, chiefly, to co-operate and advise with employers as to how best to make their employments and places of employment safe, and, when necessary, to enforce such safety regulations as may be made. The act declares that all employments and places of employment shall be made safe, the word "safe" meaning "such freedom from danger to the life or safety of employees as the nature of employment will reasonably permit", leaving it to a commission or other administrative body, to determine what appliances and practices are requisite to safety, and empowers the commission, after hearings, to prescribe and enforce requisite safety rules and regulations, subject to review by the courts as to their reasonableness, and obligatory only insofar as, in case of the raising of an issue as to the "safety" of any plant or employment, to throw the burden of proof upon the accused party to show to the satisfaction of a jury that, notwithstanding the fact of disobedience to the rule of regulation, his employment or place of employment, is, within the meaning of the act "safe".

DEPARTMENT OF STATISTICS—The commission has organized a statistical department for the purpose of ascertaining the number of industrial accidents happening within the state, the nature and extent of the injuries sustained, the character and duration of the disability, the cost in loss of industrial time, the compensations payable (and whether or not they were paid), how and why such accidents happened, and such other information as may be required.

PUT YOUR MONEY
IN A BANK
AND PAY YOUR OBLIGATIONS BY CHECK.

RULES OF MEASUREMENT.

GRAIN—To find the capacity of a bin or a wagon bed: Multiply the number of cubic feet by .8. For greater accuracy, add ⅓ of a bushel for every 100 cubic feet.

What is the capacity of a bin 6 feet wide, 7½ feet high, 14 feet long? 6×7½×14=630 cubic feet. 630×.8=504 and *2=506 bu.—Ans.

*For 600 cubic feet add 2 bushels.

Of a wagon bed 18 inches, or 1½ feet deep, 3 feet wide, 10 feet long? 1½×3×10=45 cubic feet. 45×.8=36 bu.—Ans.

☞A wagon bed 3 feet wide, 10 feet long, holds 2 bu. for every inch in depth.

EAR CORN—Corn in the ear, when of good quality, measured after having been cribbed for several months, will hold out at 2¼ cubic feet to a bu. Inferior corn will require from 2⅜ to 2½ cubic feet.

At 2¼ cubic feet, multiply cubic feet by 4, and divide the product by 9.

At 2⅜ cubic feet, multiply by 8 and divide the product by 19.

At 2½ cubic feet, simply multiply by 4 and point off one figure.

Find contents of a crib 7½×9, and 16 feet long; 2¼ cubic feet to bu. 7½×9×16=1080 cubic feet. 1080×4-9ths=480 bu.—Ans.

Capacity of a wagon bed 10½×3, 2¼ feet deep, 2½ cubic feet to bu. 10½×3×2¼=71 cubic feet, nearly. 71×.4=28.4 bu.—Ans.

HAY—The quantity of hay in a mow or stack can only be approximately ascertained by measurement. Good timothy hay when thoroughly settled, will take about 350 cubic feet to make a ton. If only partly settled, from 400 to 450 cubic feet; while new hay will take 500 cubic feet and over.

How many tons in a mow 20 feet square, 14 feet high; 350 cubic feet to ton? 20×20×14=5600 cubic feet. 5600÷350=16 tons.—Ans.

CISTERNS—To find the capacity of a cistern or tank: Multiply the square of the mean diameter by the depth (all in feet) and this product by 5⅞; and the result will be in gallons—absolutely correct.

To find the contents in barrels. Take $\frac{3}{5}$ of the product. For greater accuracy, diminish answer ½ of 1% of itself.

Find contents in barrels, of a round cistern 6 feet in diameter, 8 feet deep. 6×6×8=288; $\frac{3}{5}$ of 288=54 barrels.—Ans.

What is the capacity in gallons of the Bloomington Stand Pipe, which is 8 feet in diameter and 200 feet high 8×8×200×5⅞=75,200 gallons. —Ans.

To find the capacity of a square tank or cistern: Multiply the number of cubic feet by 7½ (7.48); the result will be in gallons.

To find the contents in barrels: Multiply the cubic feet by .2⅜.

What is the capacity in gallons and in barrels, of a tank 12 feet long, 3 feet wide and 2 feet deep? 12×3×2=72 cubic feet; 72×7½=540 gallons; 72×.2⅜=17.1 barrels.—Ans., 540 gallons, or 17.1 barrels.

BARRELS—To find the contents of a barrel or cask: Multiply the square of the mean diameter by the depth (all in inches) and multiply the product by .0034.

Find the contents of a barrel whose mean diameter is 20 inches, depth 32 inches. 20×20×32×.0034=43.52 or 43½ gallons.—Ans.

If you make your payments by CHECK
You Have a Record
WHICH CANNOT BE DISPUTED.

LEGAL FORMS.

Warranty Deed.

This indenture, made the.....day of ....., in the year of our Lord one thousand nine hundred and....., between....., the part....of the first part, and....., the part....of the second part,

Witnesseth, That the said part....of the first part, for and in consideration of the sum of.....dollars.....of the United States of America, to ..... in hand paid by the said part....of the second part, the receipt whereof is hereby acknowledged, do.... by these presents grant, bargain, sell, convey and confirm unto the said part....of the second part, and to ..... heirs and assigns forever, all th..... certain lot...., piece.... or parcel.... of land situate, lying and being in the ..... County of....., State of California, and bounded and particularly described as follows, to wit:

.....

Together with the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining; and also all ..... estate, right, title and interest, at law and equity therein or thereto, including the rents, issues and profits thereof.

To have and to hold the same to the said..... heirs and assigns forever; and ..... do.... covenant with the said..... and ..... legal representatives forever, that the said real estate is free from all incumbrances, and that ..... will and ..... heirs, executors and administrators shall WARRANT AND DEFEND the same to the said..... heirs and assigns forever, against the lawful claims and demands of all persons whomsoever.

In witness whereof, the said part....of the first part ha.... hereunto set..... hand.... and seal...., the day and year first above written.

.....

Signed, sealed and executed in the presence of.....

.....(Seal)

(ACKNOWLEDGMENT)

Quit Claim Deed.

This indenture, made the.....day of ....., A. D. 19...., between ....., the part....of the first part, and....., the part....of the second part,

Witnesseth, That the said part....of the first part, for and in consideration of the sum of.....dollars.....of the United States of America, to ..... in hand paid by the said part....of the second part, the receipt whereof is hereby acknowledged, HA.... remised, released and forever quitclaimed, and by these presents DO.... remise, release and forever quitclaim, unto the said part....of the second part, and to ..... heirs and assigns, all the..... certain lot...., piece.... or parcel.... of land, situate, lying and being in the ..... County of....., State of California, and bounded and particularly described as follows, to wit:

.....

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof. And also all the estate, right, title, interest, ... property, possession, claim and demand whatsoever, as well in law as in equity, of the said part....of the first part of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

To have and to hold, all and singular, the said premises, together with the appurtenances, unto the said part....of the second part, and to ..... heirs and assigns forever .....

In witness whereof, the said part....of the first part ha.... hereunto set..... hand.... and seal...., the day and year first above written.

.....

Signed, sealed and delivered in the presence of.....

.....(Seal)

THE BEST
BUSINESS MEN DEPOSIT THEIR MONEY
IN A BANK.

(ACKNOWLEDGMENT)

Mortgage—Short Form.

This indenture, made this.....day of ....., A. D. 19...., between ..... the part....of the first part, and....., the part....of the second part,

Witnesseth, That the said part....of the first part, for and in consideration of the sum of.....dollars.....of the United States of America, to ..... in hand paid, the receipt whereof is hereby acknowledged, do.... by these presents, grant, bargain, sell, convey and confirm, unto the said part.... of the second part .....heirs and assigns forever all that certain lot, piece or parcel of land lying, situate and being in the .....County of....., State of California, and bounded and particularly described as follows, to wit:

.....

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging, and the rents, issues and profits thereof.

To have and to hold, all and singular, the said premises, together with the appurtenances, unto the said part.... of the second part, ... heirs and assigns forever.

This conveyance is intended as a mortgage to secure the payment of.....

.....

and these presents shall be void if such payment.... be made, according to the tenor and effect thereof; but in case default be made in the payment of the said principal or ..... any installment of interest as provided, then the whole sum of principal and interest shall be due at the option of the said part.... of the second part, or assigns; and suit may be immediately brought and a decree be had to sell the said premises, with all and every of the appurtenances, or any part thereof, in the manner prescribed by law, and out of the money arising from such sale, to retain the said principal and interest although the time for payment of said principal sum may not have expired, together with the costs and charges of making such sale, and of suit for foreclosure, including counsel fees at the rate of ..... per cent upon the amount which may be found to be due for principal and interest by the said decree, and also the amounts, both principal and interest, of all such payments of liens or other encumbrances, as may have been made by said part.... of the second part, by reason of the provisions hereinafter given, and the overplus, if any there be, shall be paid by the party making such sale, on demand, to the said part.... of the first part..... heirs, executors, administrators or assigns.

And it is hereby agreed, that it shall be lawful for the said part.... of the second part, ... heirs, executors, administrators or assigns, to pay and discharge at maturity all liens or other encumbrances now subsisting or hereafter to be laid or imposed upon said lot.... of land and premises, and which may be in effect a charge thereupon; and such payments shall be allowed, with interest thereon at the rate of ..... per cent per .....; and such payments and interest shall be considered as secured by these presents, and shall be a charge upon said premises, and shall be repayable on demand, in the same kind of money or currency in which the same may have been paid, and may be deducted from the proceeds of the sale above authorized.

.....

In witness whereof, the said part.... of the first part ha.... hereunto set..... hand.... and seal...., the day and year first above written.

.....

Signed, sealed and delivered in the presence of.....

.....(Seal)

(ACKNOWLEDGMENT)

Deed.

This indenture, made this.....day of ....., A. D. 19...., between ....., the part....of the first part, and....., the part....of the second part,

WE TRY TO PLEASE OUR CUSTOMERS

AND CAN PLEASE YOU.

Witnesseth, That the said part....of the first part, for and in consideration of the sum of.....dollars.....of the United States of America, to ..... in hand paid by the said part....of the second part, the receipt whereof is hereby acknowledged, do.... by these presents grant, bargain, sell, convey and confirm unto the said part....of the second part, and to ..... heirs and assigns forever, all th..... certain lot...., piece.... or parcel.... of land situate, lying and being in the ..... County of ....., State of California, and bounded and particularly described as follows, to wit:

.....

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

To have and to hold, all and singular, the said premises, together with the appurtenances, unto the said part....of the second part, and to ..... heirs and assigns forever .....

In witness whereof, the said part....of the first part ha.... hereunto set..... hand.... and seal...., the day and year first above written.

.....

Signed, sealed and delivered in the presence of.....

.....(Seal)

(ACKNOWLEDGMENT)

Chattel Mortgage.

This mortgage, made the ..... day of ..... in the year A. D. nineteen hundred and ..... by ....., of ..... County of ....., State of California, by occupation ..... mortgagor..... to ..... of the County of ....., State of California, by occupation ..... mortgagee.

Witnesseth, That the said mortgagor....., mortgage..... to the said mortgagee..... all that certain personal property situated and described as follows, to wit:

.....

as security for the payment to ..... the said mortgagee..... of ..... dollars, ... of the United States of America, on ..... day of ..... in the year nineteen hundred and ..... with interest thereon at the rate of ..... per cent per ..... according to the terms and conditions of ..... certain promissory note...., of even date herewith, and in the words and figures following, to wit:

.....

It is also agreed that if the mortgagor.... shall fail to make any payments as in the said promissory note.... provided, then the mortgagee.... may take possession of said property, using all necessary force so to do, and may immediately proceed to sell the same in the manner provided by law, and from the proceeds pay the whole amount in said note.... specified.

.....

In witness whereof, the said mortgagor.... ha.... hereunto set ..... hand.... and seal...., the day and year first above written.

.....

Signed, sealed and delivered in the presence of.....

.....(Seal)

STATE OF CALIFORNIA, }
County of..... } ss.

..... the mortgagor.... in the foregoing mortgage named and..... the mortgagee.... in said mortgage named, each being duly sworn, each for himself, doth depose and say: That the aforesaid mortgage is made in good faith and without any design to hinder delay or defraud any creditor or creditors.

.....

.....

Subscribed and sworn to before me, this ..... day of ..... 19.... at the ..... County of .....

.....

(REGULAR ACKNOWLEDGMENT)

A BANK ACCOUNT
IS A GREAT AID
IN SAVING MONEY.

Assignment of Mortgage.

Know all men by these presents, That ..... the part.... of the first part, for and in consideration of the sum of ..... dollars, ... of the United States of America, to ..... in hand paid by ..... the part.... of the second part, the receipt whereof is hereby acknowledged, do ..... by these presents, grant, bargain, sell, assign, transfer and set over unto the said part.... of the second part, a certain indenture of mortgage, bearing date the ..... day of ....., one thousand nine hundred and....., made and executed by ....., mortgagor.... to ....., mortgagee...., and recorded on the ..... day of ..... 19...., in book ..... of ....., at page ....., in the office of the county recorder of the ..... County of ..... State of California..... together with the ..... therein described, and the money due, and to grow due, thereon, with the interest.

To have and to hold the same unto the said part.... of the second part.... executors, administrators and assigns, for ..... use and benefit; subject only to the proviso in the said indenture of mortgage mentioned. And the said part.... of the first part do ..... hereby make, constitute and appoint the said part.... of the second part ..... true and lawful attorney, irrevocable, in ..... name or otherwise, but at the proper costs and charges of the said part.... of the second part, to have, use, and take all lawful ways and means for the recovery of the said money and interest; and, in case of payment, to discharge the same as fully as the said part.... of the first part might or could do if these presents were not made.

In witness whereof, the said part.... of the first part ha.... hereunto set ..... hand.... and seal...., the ..... day of ..... in the year of our Lord one thousand nine hundred and .....

.....

Signed, sealed and delivered in the presence of.....

.....(Seal)

(ACKNOWLEDGMENT)

Satisfaction of Mortgage.

Know all men by these presents, That the mortgage ..... made by ..... the part.... of the first part, to ..... the part.... of the second part, and recorded in the office of the county recorder of the ..... County of ....., State of California, in book ..... of ....., at page ....., on the ..... day of ..... 19...., ...

together with the debt thereby secured, is fully paid, satisfied and discharged.

In witness whereof, ... have hereunto set ..... hand.... and seal.... the ..... day of ....., A. D. 19.....

.....

Signed, sealed and delivered in the presence of.....

.....(Seal)

(ACKNOWLEDGMENT)

Notice of Appropriation of Water.
(Civil Code, Sec. 1415.)

The undersigned hereby gives notice to all whom it may concern:

1. That I claim the water flowing here to the extent of ..... inches measured under a four-inch pressure.

2. That the purposes for which I claim it are (a) .....

.....

(b) .....

.....

3. That I intend to divert it by a (c) .....

in size .....

(d) .....

.....

.....Claimant.

BANK DRAFTS
ARE BETTER AND CHEAPER THAN EXPRESS OR
POST OFFICE MONEY ORDERS.

(a) Insert purpose you intend using water for, as "irrigating," "mining." &c.
(b) Name place where you are going to use it.
(c) Insert "flume," "ditch," "pipe" or "aqueduct," as you intend using.
(d) Give size of flume, ditch, &c.

N. B.—This notice must be posted in a CONSPICUOUS place at point where claimant intends to take water out.

Last Will and Testament.

I, ... of ....., County of ....., State of California, of the age of ..... years, being of sound and disposing mind and memory, and not acting under duress, menace, fraud, or undue influence of any person whatever, do make, publish and declare this my last will and testament in the manner following, that is to say:

First, ...

.....

Secondly, ...

.....

Lastly, I hereby nominate and appoint ..... the executor.... of this my last will and testament .....
and hereby revoke all former wills by me made.

In witness whereof, I have hereunto set my hand and seal, this ..... day of ....., in the year of our Lord one thousand nine hundred and .....

.....(Seal)

The foregoing instrument, consisting of ..... page.... besides this, was, at the date hereof, by the said ..... signed and sealed and published as, and declared to be ..... last will and testament, in presence of us, who at ..... request, and in ..... presence, and in the presence of each other, have subscribed our names as witnesses thereto.

.....

Residing at .....

.....

Residing at .....

Bill of Sale.

Know all men by these presents, That ..... the part.... of the first part, for and in consideration of the sum of ..... dollars, ... of the United States of America, to ..... in hand paid by ..... the part.... of the second part, the receipt whereof is hereby acknowledged, do ..... by these presents grant, bargain, sell and convey, unto the said part.... of the second part, ... executors, administrators and assigns, ...

.....

To have and to hold the same unto the said part.... of the second part, ... executors, administrators and assigns forever. And ..... do ..... for ..... heirs, executors and administrators, covenant and agree, to and with the said part.... of the second part, ... executors, administrators and assigns, to warrant and defend the sale of the said property, goods and chattels, hereby made unto the said part.... of the second part, ... executors, administrators and assigns against all and every person and persons whomsoever lawfully claiming or to claim the same.

In witness whereof, ... ha.... hereunto set ..... hand and seal.... the ..... day of ..... A. D. 19.....

.....

Signed, sealed and delivered in the presence of.....

.....(Seal)

(ACKNOWLEDGMENT)

READ
ON FOURTH PAGE OF READING MATTER.
"LAWS AND FACTS CONCERNING BANKS AND BANKING"

Agreement or Contract.

This agreement, made the ..... day of ..... in the year of our Lord one thousand nine hundred and ..... between ..... the part.... of the first part, and ..... the part.... of the second part,

Witnesseth, That the said part.... of the first part, in consideration of the covenants, promises and agreements on the part of said part.... of the second part, hereinafter contained, hereby covenant...., promise.... and agree...., to and with the said part.... of the second part, that the said part.... of the first part will

.....

And the said part.... of the second part, in consideration of the said covenants, promises and agreements on the part of the said part.... of the first part, hereinafter contained, covenant...., promise...., and agree.... to and with the said part.... of the first part, that the said part.... of the second part will.....

.....

And for the true and faithful performance of all and every of the said covenants, promises and agreements, the said parties to these presents bind themselves, each unto the other, in the penal sum of ..... dollars, ... of the United States of America, as fixed, settled and liquidated damages to be paid by the failing part.... to the other, ... heirs or assigns.

.....

In witness whereof, the said parties to these premises have hereunto set their hands and seals, the day and year first above written.

.....

Signed, sealed and delivered in the presence of.....

.....(Seal)

Lease.

This indenture, made this ..... day of ....., A. D. 19.... between ..... the part.... of the first part, and ..... the part.... of the second part,

Witnesseth, That the said part.... of the first part, do ..... by these presents lease and demise unto the said part.... of the second part.....

.....

with the appurtenances, for the term of ..... from the ..... day of ....., A. D. 19...., at the ..... rent or sum of ..... dollars, payable in gold coin of the United States of America, ... in advance, on the ..... day of each and every month during said term, ...

And it is further agreed, that if any rent shall be due and unpaid, or if default shall be made in any of the covenants herein contained, that it shall be lawful for the said part.... of the first part to re-enter the said premises, and remove all persons therefrom. And the said part.... of the second part do ..... hereby covenant, promise and agree to pay the said part.... of the first part the said rent, in the manner hereinbefore specified, and not to let or underlet the whole or any part of the said premises nor assign this lease, voluntarily or involuntarily, without the written consent of the said part.... of the first part.

.....

And that, at the expiration of said term, the said part.... of the second part will quit and surrender the said premises in as good state and condition as reasonable use and wear thereof will permit (damage by the elements excepted).

.....

In witness whereof, the said parties to these presents have hereunto set their hands and seals, the day and year first above written.

Signed, sealed and delivered in the presence of.....

.....(Seal)

WE REGARD ALL BUSINESS TRANSACTIONS
AS
STRICTLY CONFIDENTIAL.

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